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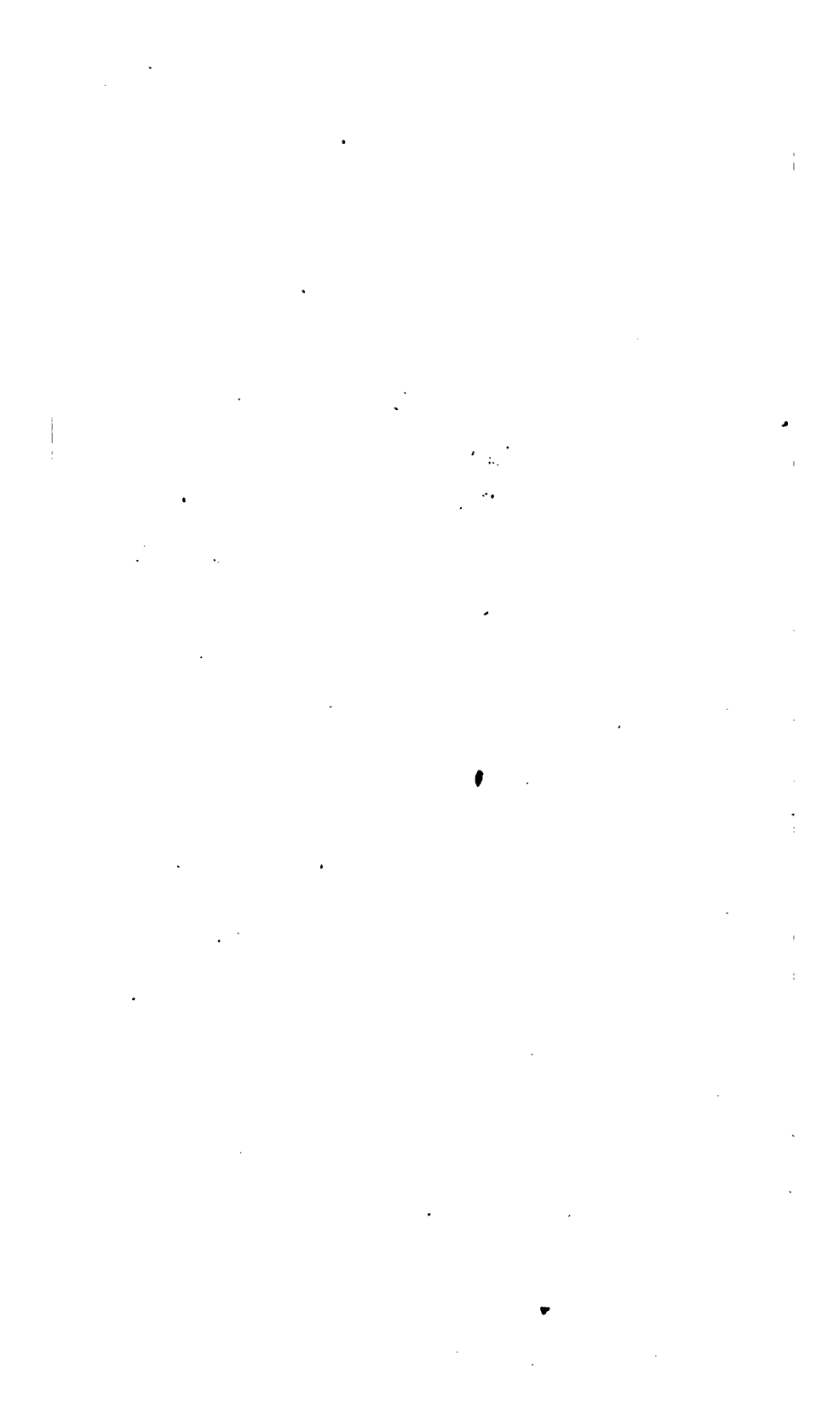
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NON - CIRCULATING



AN
IMPARTIAL REPORT
OF THE
DEBATES
THAT OCCUR IN THE
TWO HOUSES OF PARLIAMENT,

In the Course of the First Session of the Eighteenth Parliament
of Great Britain, called to meet at Westminster, on
Tuesday the 27th of September, 1796.

WITH
SOME ACCOUNT OF THE RESPECTIVE SPEAKERS,

AND
NOTES AND ILLUSTRATIONS.

INCLUDING COPIES OF ALL
STATE PAPERS, TREATIES, CONVENTIONS, &c.

By WILLIAM WOODFALL,
AND ASSISTANTS.

VOL. III.

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WOODFALL'S PARLIAMENTARY REPORTS.

HOUSE OF LORDS.

FRIDAY, *April 28, 1797.*

THE Earl of *Chatham* brought up the report of the Committee of Secrecy, which was laid on the table, and ordered to be printed.

Read the bills upon the table.—Adjourned to Monday.

HOUSE OF COMMONS.

FRIDAY, *April 28.*

At four o'clock there were an hundred members present, which was a sufficient number to make a House, but there being only 37 Members on the list instead of 49, they could not make a ballot for a Committee to try the merits of the Petition against the election for the county of Kent, which being the first order of the day, the Speaker adjourned the House, without doing any business, till the next day.

SATURDAY, *April 29.*

The *Chancellor of the Exchequer* presented the following Message from his Majesty:

GEORGE R.

His Majesty recommends it to the House of Commons to consider of enabling his Majesty to make remittances from time to time to be applied to his service in Ireland, in such manner as shall be approved by the Parliament of that kingdom, to an amount not exceeding 1,500,000*l.* on provision being made by the Parliament of Ireland for discharging the interest and charges of a loan to that amount.

And his Majesty recommends to the House to consider of guaranteeing a loan on account of his ally, the Emperor, to be applied in making good the advances to the amount of 1,600,000*l.* which have already been made to his Imperial Majesty, and to defray the charge of such further advances as his Majesty may, from

time to time, direct to be made in the course of the present year, to an amount not exceeding 2,000,000l.

His Majesty trusts that he shall experience the ready concurrence of his faithful Commons, at this important conjuncture, in a measure calculated to enable the Emperor the more effectually to continue his exertions for the support of the common cause, and for the attainment of a general peace on secure and equitable terms.

And his Majesty relies on the zeal and affection of his faithful Commons to provide for enabling his Majesty to defray such other extraordinary expences as may be necessary for the public service, and to take such measures as the exigency of affairs may require.

G.R.

On the Message being read by the Speaker,

The *Chancellor of the Exchequer* moved, that it be taken into consideration on Monday.—Ordered.

The Committee of Supply and Ways and Means was put off to Monday next.

General *Walpole* moved for a copy of the Treaty between Governor Trelawny and the Maroons.

The Members to be a Committee to try the merits of the contested election for the county of Kent were chosen by ballot.

HOUSE OF LORDS.

MONDAY, May 1.

The *Lord Chancellor* continuing indisposed, Lord *Kenyon* attended as Speaker.

The newly appointed Bishop of Bristol (Dr. *Cornwall*) was introduced with the usual forms, sworn, and took his seat.

The Earl of *Beverley* was also sworn, and took his seat.

Several private bills were brought up from the House of Commons.

The various bills upon the table were read in their respective stages.—Among these was the Minute of Council bill, which was read a third time and passed.

THE CONFERENCE.

On the Usher of the Black Rod apprising the House that a number of Members of the House of Commons were waiting for a conference with their Lordships in the Painted Chamber, the following Peers were nominated as a deputation to confer with the Commons on the part of the House:—Lords *Sydney* (the Chairman), *Hood*, *Elliott*, *Lyttleton*, *Auckland*, *Middleton*, *Walsingham*, Earl of *Berkeley*, and the Bishop of *Bristol*.

The

The conference took place in the Painted Chamber with the accustomed forms. The deputation from the Commons was headed by the *Master of the Rolls*, who read the resolutions agreed to by that House respecting a plan for the more effectual Promulgation of the Statutes. After which he handed over the resolutions to the Chairman (*Lord Sydney*) for the consideration of their Lordships.

On the return of the deputation into the House, *Lord Sydney* stated to their Lordships the proceeding that had just taken place. The resolutions of the Commons were then read, and ordered to lie on the table.

After some private business had been disposed of, the House adjourned till the next day.

HOUSE OF COMMONS.

MONDAY, MAY 1.

Colonel *Gascoyne* moved for leave to bring in a bill for regulating Pilots in the port of Liverpool.—Granted. And Colonel *Gascoyne* and General *Tarleton* were directed to prepare it.

The bill for Improving the Harbour of Aberdeen was read a second time.

A Message from the Lords acquainted the House, that they had agreed to the bill for continuing and confirming the Order of Council for Restrictions of Payment in Specie at the Bank, and to several private bills, without any amendment; and wished to have the Reports of the Committee of Secrecy, appointed by the House of Commons, laid before them. In compliance with which request, the House afterwards agreed to send printed copies of the report, and deputed a Messenger of its own, *Lord Muncafter*, to carry up the same.

Mr. Abbot moved, that a Committee of Managers should be appointed to hold a conference with the Lords upon the means of enforcing a better Promulgation of the Statutes; and that the said Committee should take up a printed copy of the report and resolutions of the Committee of the House of Commons. This motion was agreed to; and the *Master of the Rolls*, *Mr. Abbot*, the *Attorney and Solicitor General*, the *Lord Advocate of Scotland*, *Mr. Serjeant Adair*, *Sir William Scott*, *Mr. Banks*, *Mr. Hawkins Browne*, *Mr. Mainwaring*, *Mr. Bramstone*, and *Mr. Hobart* were nominated Managers of the said Committee. The Committee afterwards held a conference with the Lords in the Painted Chamber; and the *Master of the Rolls* reported,

4 WOODFALL'S PARLIAMENTARY REPORTS: [Commons,
that they had left the printed copies of the report and resolutions.

Mr. H. Cox wished to have a further time allowed for completing the cavalry corps.

The *Chancellor of the Exchequer* replied, that he should, on a future day, propose to bring in a bill to that effect, unless anticipated by any other person.

DISTILLERIES IN SCOTLAND.

Mr. Grey said, he had received a petition which, upon the score of policy and justice, was entitled to the attention of the House. The petition was from the distillers in the Lowlands of Scotland. Previous to 1786 the distilleries in the Lowlands of Scotland were excised at so much per gallon, but in that year the mode of collecting the duties was altered, and they were levied upon the still. At the same time an exception was made in favour of the Highlands, upon some local considerations, many of which are now no longer pressing. The original duty of the Lowlands was 11. 10s. per gallon, and that of the Highlands 11. In 1793, 31. more was levied upon the distilleries in the Lowlands, while no additional duty was levied upon the Highlands, which had the further advantage of an exemption also upon the malt. The duties on distilleries in the Lowlands were afterwards doubled, and at length rose from 11. 10s. to 181. per gallon, and with the addition of other duties imposed this session, amounted to 541. per gallon on the still, while the Highland distilleries contributed no more to the revenue than the sum of 21. 10s. Upon this account the petitioners complained, that it was impossible to carry on their business, because a great encouragement was given in consequence to smuggling, and because it was difficult to decide upon the line of demarcation between the Highlands and the Lowlands. They therefore prayed the House either to reduce the duties on the stills in the Lowlands of Scotland, or encrease the duties on the Highlands to a proportionate rate. This Mr. Grey conceived to be both the policy and interest of the House to do; and he accordingly moved for leave to present the petition.

The *Chancellor of the Exchequer* did not rise to object to the bringing up of the petition, provided it was properly drawn up. Of this, however, he entertained some doubts; and the House was aware, that by the orders of the House, no petition could be presented against any Tax bill in the course of the session in which that bill was passed.

The *Speaker* suspecting there was no cause for this objection, since the petition prayed for an alternative which it left to the
option

option of the House either to reduce the duties in the Lowlands, or to encrease them in the Highlands,

Mr. Grey read the petition.

The *Chancellor of the Exchequer* was satisfied with the propriety of the dictation, but wished to say a word or two upon the fact. He trusted the House and the hon. Gentleman would do him the justice to recollect, that he expressed it to be his intention last session to encrease the duties on the distilleries of the Highlands, and he now undertook to inform the House that he had not abandoned that intention, but that he had also proposed some regulations concerning the line of demarkation, upon which some pains had been taken to investigate the subject, and he was already aided by the assistance of an honourable and learned Friend near him (the Lord Advocate) to carry his intention into speedy execution.

Mr. Grey said he understood it to be his intention to comprise the whole of his duty upon the stills in the Highlands at 6l. per gallon, which he thought too great a difference from the sum of 54l. levied in the Lowlands, and suggested whether something more might not be added to the former.

The petition was then brought up and read, and ordered to be laid upon the table.

Mr. St. John gave notice that he should defer his motion concerning the deaths and casualties of the British forces in St. Domingo from Friday to Monday next. He then moved for an account of all the bills drawn upon the Treasury from St. Domingo, from the beginning of the war to the latest period in which the accounts could be made up.—Ordered.

Mr. Ryder brought in the bill for indemnifying the Governor, Deputy Governor, and persons acting in the British Colonies, who had permitted the importation of goods into those Colonies in foreign bottoms. The bill was read a first time, and ordered to be read a second time the next day.

The *Master of the Rolls* moved, "That the Report on the absence of Gentlemen when the House failed to make a ballot on Friday, be postponed to Monday.—Ordered.

HIS MAJESTY'S MESSAGE.

The *Chancellor of the Exchequer* moved the order of the day on the message from his Majesty.

The message was then read, and referred to a Committee of Supply, as was also the report of the Committee of Secrecy.

On the question being put, That the speaker should leave the chair.

Mr.

Mr. Fox said, he did not mean to oppose the motion, but he wished to have an answer to that question before the House proceeded to the business which was now before it. When we were hearing every day of what had passed at Portsmouth, it was necessary to know something in that House officially upon that subject. The necessary arrangements which would take place in consequence of the late events, must create very considerable expence, for which Parliament must provide. That was an expence in one point of view of considerable importance. But in another point of view the matter was of more importance than any consideration of the expence could be. It had in that view created more uneasiness in the mind of every thinking man in this country, than he chose at this moment to express. He had, therefore, on a former day asked, when it was probable that official information should come before the House; that question was then answered in a general way, by an intimation that a communication would be made to the House as soon as possible. Since which a considerable time had elapsed, and no communication had been made. He was therefore under the necessity of repeating his question.

The *Chancellor of the Exchequer* said, that in the course of a day or two a sum of money would be proposed to be voted by Parliament upon the subject alluded to by the right honourable Gentleman.

The *Speaker* then left the chair, and the House resolved itself into a Committee of the whole House on the King's message.

The *Chancellor of the Exchequer* said, one part of his Majesty's message recommends it to this House to consider of enabling his Majesty to make remittances from time to time, to be applied to his service of Ireland. The other part is an application from his Majesty to this House, to enable his Majesty to make advances to the Emperor from time to time in the present year, as well as to make provision for the advances which have been already made to his Imperial Majesty. The former of those comes under the vote of credit. I will not trouble the Committee with any observations on that part which respects the aid to Ireland, because I am apprehensive that upon that part of the subject there is no variety of opinion. But the other part of it is such, that I cannot even in this conjuncture, hope that there is no difference of opinion. From what I have heard on a former day when this subject was incidentally mentioned,

tioned, I cannot say I am sanguine enough to trust that the Committee will be entirely unanimous. I am aware that the motion which I shall conclude with will be objected to; but until I hear the objections I shall content myself with stating very shortly the nature of the question which is now before the Committee; which I shall not detain by imagining to them arguments in favour of the general policy of our endeavouring, while the war continues, to avail ourselves of the assistance and co-operation of the Emperor, and of the propriety of our granting to him a pecuniary succour in the performance of that service, to enable him to continue it. There was a period, in the present session, in which there was a general, and almost universal concurrence in this point. That there would be nothing more desirable on our part than that of having the vigorous co-operation of his Imperial Majesty in the prosecution of the present contest, in order to bring it to a conclusion as favourable to us as possible, which we cannot, rationally hope for unless we afford to his Imperial Majesty pecuniary aid. This is a topic which has already undergone so much discussion, that it is hardly possible for me to advance any thing new upon it. Indeed it can do no more than remind the House of what it has expressed already by its votes upon that subject. I must, however, observe in passing, that it was contended by those who professed themselves friendly to the measures of Government, that while we are engaged in this war, we should exert ourselves, as much as possible, in the prosecution of such measures as tend to a diversion of the force of the enemy, in a contest which affects the interest, at least, if it does not threaten the safety of this country. That general principle was hardly ever denied by any one. The only question has always been, "how far the inconvenience of sending remittances abroad could tend to counteract the advantages which must result to us from the co-operation of his Imperial Majesty?" In discussing that question due attention has been paid to real economy, to the effect which foreign remittances from us would have on the course of exchange, to the effect which it would have on the internal state of the country, and the circumstances relative to the Bank. On our part, it was contended, that the remittances proposed, and afterwards agreed to by parliament, were agreeably to true policy even in point of economy; that the sums were small in proportion to the beneficial effects to be expected by the diversion which the Emperor

Emperor would make to the force of the enemy, and which would lead to a conclusion of the contest on the most favourable terms. Such was the course of our arguments on the board and general basis of the contest. On the narrower view of the question, we contended, that with reference to our credit at home, to the circulation of specie, to the period at which the Bank would be enabled to resume its payments and operations in the usual manner, to every thing connected with our commercial credit at home, independent of our foreign trade and commerce, and the course of exchange, the advantages which we might gain by the diversion which the Emperor made to the force of the enemy, was an advantage of a much higher value than that which could possibly be expected by our having withheld our foreign remittances. Feeling that in the course of commerce, the means of carrying it on, on our part, were improved in a manner that was essential to your interest by making these foreign remittances, Parliament considered that the real balance was in your favour, in consequence of these remittances, and therefore they agreed to make them. The House is in possession of the report of the Secret Committee, whose labours were taken up in enquiring into the causes of the discontinuance of the payment in specie by the Bank, by which it appears to be their opinion that the causes were numerous; and it is evident to every one who will take the trouble of examining the subject, that the cause which led to the actual necessity, which the committee agree in reporting existed, of deferring payment in cash, arose from no foreign remittance whatever; more remote causes have contributed to that effect; they are many each having its share in diminishing the cash in the Bank, and bringing it to the situation which compelled it to take the steps that were taken. It would be difficult, I believe impossible, to give to each of those remote causes its due share in producing the suspension of payment in cash at the Bank. The question upon that subject is not to be determined easily. It not only requires that we should know how much specie or bullion was drained out of the country by the extraordinary expences of the war, but also to the various commercial transactions in which this country has been concerned with foreign parts; that again, will involve the complicated and intricate questions of the cause of the balance of trade, course of exchange, and a vast number of other topics, each in its turn having the share more or less in the draining of specie.

But

But in viewing them all, I think it hardly possible for any one to entertain an opinion that the remittances to the Emperor were the immediate, or much less the exclusive cause of the stoppage of payment by the Bank in cash: to what degree these remittances were any cause of that pressure is a point on which opinions are very various. But it is a great consolation to us to reflect, that great-as has been the drain upon us, that even while that drain continued, whatever was the temporary consequence, such was the effect of our flourishing commerce that even in the last year the course of exchange became more favourable to this country than it was at the beginning of it. It also appears that circumstances of a temporary nature have had great effect in diminishing our specie. The late scarcity, which was so severely felt in this country, had a much more considerable effect in draining our specie, than any loan that was sent to the Emperor. Seeing that, notwithstanding all these causes, many of which have now ceased, and of their return there is no reasonable apprehension, the course of exchange has become more favourable even during the continuance of the pressure, there is great reason to be satisfied that our commerce is still flourishing. Perceiving that the drain on account of the scarcity of corn was one great cause of scarcity of specie, and perceiving that we are not likely to feel a similar evil, I see no reason why a moderate remittance to the Emperor ought to alarm us, especially when we see that it is possible that such a remittance may, instead of aggravating the weight, upon us, tend to relieve us from it. Feeling it to be the general opinion of the House, and believing it to be the general opinion of the country, that it is desirable we should have the vigorous co-operation of the Emperor in this contest, and knowing we cannot expect that co-operation unless we afford pecuniary aid to his Imperial Majesty, a principle so often confirmed by this House, that I can hardly suffer myself to hesitate as to what will be the decision of the Committee to-night, I shall therefore move a resolution to enable his Majesty to make advances from time to time to the Emperor, to the amount of three millions and an half, to be repaid by his Imperial Majesty. But I shall first observe that the sum of 200,000*l.* already voted is included in this sum, as also the sum of 1,600,000*l.* already advanced to his Imperial Majesty, so that the sum now proposed to be advanced is about 1,800,000*l.*

He then moved the first resolution, to enable his Majesty
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to makes advance to the above amount, and to guarantee the loan to the Emperor.

Mr. Fox in reply said, I flattered myself that after the Report of the Committee had been put into the hands of every Member of this House, they would have seen the consequence of sending more money abroad in too alarming a point of view to hear with patience the proposal which is now made to the Committee; for however the right honourable Gentleman may exult in the flourishing state of our commerce, however he may endeavour to diminish the effect of sending money to the Emperor, by comparing it with other causes which have produced the present scarcity of cash, and however he may deny what never was asserted, that it was the exclusive cause of the scarcity; it is impossible for any man who has examined the matter to have any doubt that the sending of money to the Emperor, has been one great cause of the present scarcity of cash. I say a great and principal cause; but the right honourable Gentleman considers the importation of corn as one of the great causes of the drain of specie in this country; I admit it to be so; I hope a similar evil will not recur; but it is impossible to be sure of that since it must depend upon events that are yet to come; but the great evil with us now, is our own internal situation. Do you not feel the weight of the misfortunes of the present year? No, you cannot yet feel them all, for they have not yet pressed upon you so much as they will when you endeavour to raise the money which has been voted: Remember that you have no reason to think you can conjecture when your pressure will terminate. The proposition which is now to come immediately before us, states the necessity of a large loan, which this country is to guarantee for Ireland; a circumstance which ought to alarm every Member of this House, for without entering upon the propriety of that measure now, you should think of the effect which that must have upon this country. You will find that sum of a million and a half very considerable at this moment. You should think which is most necessary for you, assistance to Ireland, or assistance to the Emperor? In this view of things, I own, I was never more surprised in my life, than I was at the proposition which is now before you; think only of the time in which it comes; the Minister refers to a triumphant argument, that the determination of Parliament has already sanctioned the principle of sending money abroad. That sort of triumph which follows from the reflection, that a majority of Parliament have confided in his opinion, and brought this country to its present calamity, certainly belongs to that right honourable

able Gentleman; but I ask the Committee, in what state it is that we now come to the question which is before us? In a state in which we do not know that the Emperor has not concluded a Peace. We do know that an armistice for six days has been agreed upon between the Emperor and the forces of the French Republic. I have read the accounts of this armistice; the Emperor, in alluding to his hopes of Peace, says, "That he trusts the enemy will at length consent to accept equitable conditions," and so on, and then makes use of general expressions about his not "derogating from the dignity of his Imperial Majesty, and the honour of the nation he has the happiness to govern; and that he confides in the assistance and support of his faithful subjects." I looked with care and caution over the whole of the Vienna Court Gazette, and I could not see the name of Great Britain, nor could I find that one word was uttered about any Ally of his Imperial Majesty. Why? Because the Emperor (whether sincere or not, I am not now discussing) knows that the only object he has in view is to satisfy his own people, and that he looks to them as the only persons whom he is to satisfy; from this follows an armistice of six days; whence I conclude that the Emperor may agree upon peace without consulting our interest. I should have thought that the Minister would not have been so very impatient as not to wait the event of this armistice, before he called upon the House to vote this money to the Emperor. There is additional information arrived in town this day from the part of the world to which I have been alluding, I do not affect to detail it, but the substance of it is, 'That the armistice is to be prolonged for three days;' what is to be gathered from that event? Why, that they are in hopes of a negotiation, in which there is no probability of our interest being included, since we are not so much as mentioned. Where, in the name of God, is the hurry for this money being voted? What reason has the House of Commons of Great Britain to take a step so hazardous? Why so eager to vote away the money of the people? Whether this Ally of ours will be compelled to make peace without us, I am not now anticipating. I think I see what is most probable in that particular. I do not think it my duty to enter into any discussion upon that matter now; but I do think it my duty to call upon this House to wait until we learn the event of the armistice that has been agreed on. If we wait, and find that peace has not been the consequence of the negotiation between the Emperor and the French Republic, we may then hear the grounds upon which the negotiation was broken off, and not thus vote

away the public money in the dark. But let me put another case; suppose the war should continue, will it not be a necessary thing for us to know the points on which the proposed negotiation was broken off, before we vote our money to the Emperor? Shall we vote money before we know that the points on which the Emperor insists are essential to the general interests of Europe? For any thing which we can know to the contrary, these two millions, which we are now called upon to vote to the Emperor, may be for the attainment of objects which may appear to us to be detrimental to the general interests of Europe. With regard to Belgium, that is a part for which I presume the Emperor in the present posture of affairs, will not very obstinately negotiate, or for the attainment of which he will risk the safety of his capital and his whole people. But let us suppose (for affairs are now in such a state that a man may almost suppose any thing) that the Emperor and the French should agree that certain provinces in the Palatinate, or Bavaria, or any provinces in Italy, should be held by any of the branches of the House of Austria, and that we should be of opinion that such a plan would be highly injurious to the balance of power in Europe, and should even be determined to oppose it as we had opposed in former wars; what, in such a case, would you think of voting away millions of your money to facilitate the accomplishment of that which you would give as many millions more to oppose? All this you may be doing for any thing you know to the contrary, and which you may avoid by only waiting a few days. You are going to give your money to a power which, indeed, you call your Ally, but which you do not know whether he is your Ally or not, or whether he may not at this very moment be the Ally of your enemy. It may be said, that when we vote this money to his Majesty, it will be in the power of the Executive Government to defer the sending it away in case there should be any reason for it. To which I answer, that this House ought not to vote away the money of the people in that manner, the more especially when there can be nothing lost by taking time to wait for an event that may render the vote now proposed unnecessary, and even ridiculous.

With respect to the business of Ireland, I certainly shall not oppose the loan proposed; not that I do not think it extremely important; not that I do not think that a million and a half even to the Sister Kingdom is a great deal for Great Britain to grant in her present embarrassment. There is however nothing that we do not owe to Ireland; and therefore I cannot object to any aid that is proposed to it; but here I cannot help observing

observing on the dreadful measures which have been pursued, and which have brought it into its present situation ; on the dreadful measures that are still pursuing to bring it into a still worse ! When I see means used towards Ireland such as were used towards our colonies in America, when I see the same temper observed, when I see the same vain hopes are entertained (vain, indeed!) of preserving dominion over our fellow subjects by force of arms, when I hear opinions openly avowed that are hostile to all good Government, when I see that it is a part of the policy of the Executive Government to treat as rebels all who are discontented, when whole provinces are declared to be in a state of rebellion, when I reflect what the issue has been of such policy already, when I remember that 36 millions of money have been voted in this session already, and know our resources to be fast exhausting ; when I remember, see, feel, and reflect, I say, on all these things, I cannot proceed but with a trembling hand ; I cannot help fearing that, under the present system of Government, we may do more harm than good by granting this vote even to the sister kingdom : that vote, however, I cannot oppose. But, with regard to the vote to the Emperor, I have no difficulty myself of meeting it with my direct negative ; but, in order to give time to others who may hesitate, I should propose that we should wait to know the event of the armistice before we vote away any more money. I therefore move, That you do now leave the chair. The forms of the House will allow of your sitting again, and then the vote for the Irish loan may pass.

The *Chancellor of the Exchequer* said, the arguments upon which the honourable Gentleman has founded his motion for delay may be brought into a very narrow compass. When the subject was brought before the House some time ago by an honourable friend of his, (Mr. Sheridan) he was then for the House deciding in the negative upon sending supplies to the Emperor, without so much as waiting for the report of the Secret Committee, which we contended was necessary, in order to be enabled to judge of the expediency and propriety of such a measure. But now when that report is before the Committee, and when a specific proposition is made for making farther advances to his Imperial Majesty, he is against any decision either in the negative or in the affirmative, but recommends a measure of delay. The argument by which he enforces this delay is simple and

and distinct. He says, that at this moment the Emperor may be engaged in separate negotiations, and that in the course of three days he may have concluded a separate peace with the enemy. But he admits at the same time, that the Government of this country, supposing such a peace to be concluded, would not put in execution the vote of this evening, for remitting pecuniary succours to a power which would no longer be in the relation to this country of an ally. The resolution, therefore, supposing it to be adopted, can at least do no harm. The honourable Gentleman does not state it as an event to be wished for by the Government of this country than such a peace should be concluded. If then this is an event to be deprecated, and if every possible measure ought to be taken to prevent it, do we incur no risk by the delay which is now proposed; He predicts that the event will be known in three days, but is it not as likely that the negotiation may be protracted; that the issue may be suspended for a considerably longer time; That the fortune of war may be kept hanging in doubtful balance to a period much later than that to which he looks, and that the decision may not be known for a month or six weeks to come? And taking this into consideration, will the honourable Gentleman contend that it will make no difference to our ally, and no difference to the cause in which we are embarked, whether the House of Commons immediately adopt the resolution now proposed, or defer their decision to a future day? If the course of military events, or the unsuccessful issue of the pending negotiation, should render such a measure expedient and necessary, who is there who would wish to have lost even three days in deciding upon a measure for which he afterwards finds himself obliged to vote? Inestimable good therefore may be derived from immediate decision, and inestimable evil may be the result of delay. But, says the honourable Gentleman, the negotiation may be broken off on points for which it may not be worth while for this country to contend. In answer to this, it is only necessary for me to say, that the Ministers themselves perhaps do not know the terms which are in discussion between parties, and if this was a subject on which the honourable Gentleman did not chuse to give any opinion, it would surely be far more improper for me to state what I may consider as terms which ought to be accepted or rejected. This the Honourable Gentleman does not require, and if any person was so foolish as to demand such an explanation, I should have

have no hesitation in refusing it. For what would it be but to give assistance to France by putting her in possession of your sentiments upon a subject of which she should be kept entirely ignorant? But is there any one who will deny, that a vote of the Parliament of England, passed with unanimity and decision, granting ample pecuniary succours to our ally, may materially affect the terms on which peace may be concluded? Does it not immediately affect the question of the Emperor making a separate peace? And if he is unfortunately driven to that extremity, will it not enable him to conclude a peace on better terms to himself, and consequently on better terms for this country, for it ought to be recollected that whatever additional concessions he extorts from the enemy for himself, it is so much gained to us, since they will help to strike a balance of power more favourable to Great Britain? This is a point so clear that it is quite unnecessary to dilate in illustration of it. Upon these grounds I am persuaded that the Committee will see the propriety of rejecting the motion for delay, and of agreeing to the resolution.

Mr. Fox replied, the right honourable Gentleman has attempted to affix a charge of inconsistency upon my conduct, in giving my decided negative to any farther remittances to the Emperor on a former day, and the motion which I have at present made for delay. I think, however, I shall have no great difficulty in exculpating myself from the charge. I then gave my negative to any pecuniary remittance to the Emperor, from a conviction of the impolicy and danger of such a measure at the present, and I am as ready to give that negative now as I was then. But is there any inconsistency in having given a negative to a measure and recommending to the Committee to suspend giving it their affirmative? The honourable Gentleman contends that the Committee ought to come to an immediate decision, because the vote may affect the terms on which peace may be concluded. But I will ask, where is the probability of its influencing the present negotiation? Was not an armistice granted, and not without some discussion of the terms, for only six days, and has it not been prolonged, not for an indefinite time, but for only three days more? How then is it possible that the vote of this night can affect a discussion which is probably already terminated? What I wish to know is, whether a separate peace has not been already concluded by the Emperor; or, whether the negotiation has not been broken off; and, if it is broken off, what were the points of

of difference between the parties which produced the rupture? The honourable Gentleman supposed that it was part of my argument that the vote of this evening might affect the pending negotiation, which it really was not; all I contended for was a short delay till the issue of that negotiation was known, and if it was broken off, the points for which the war is to be continued. Supposing the negotiation to be broken off on a point in which this country may find itself no ways interested, in what a strange situation shall we be placed after having voted these pecuniary succours. We shall be enabling the Emperor to continue the war till he gains a point which is of no importance to us, and which, when he has gained, he will be ready to conclude a peace, perhaps without the consent of this country, so that in fact it may happen that we are about to vote a sum to the Emperor to enable him to make a separate peace. The vote of this evening can do no possible good, except you can suppose that the negotiation will be continued, and that the news of it will reach Vienna before the negotiation is finished. Now, what are the circumstances in which we stand? The armistice terminated on the 16th, and there are letters from the Vienna Gazette of the 15th in town. We have only to wait, therefore, for three or four days, in order to know whether the armistice has been prolonged, and negotiations are going on, or whether the war be again renewed. But if we vote the resolution now proposed, we bind ourselves to send remittances, not knowing whether a separate peace may not already have been concluded with the enemy by our Ally, and supposing the war to be continued, not knowing whether it is to be carried on for points for which it may be for the interest of this country to contend.

The *Chancellor of the Exchequer*, after supposing that the Committee should agree to defer adopting the resolution of lending the sum proposed to the Emperor, put the case of a mail going hence with an account of that postponement, and bringing notice of that delay to the Emperor in the course of 10, 12, or 15 days, and then asked, if any Gentleman would say that such information, when brought to our Ally, would operate more in inducing him to make a separate peace, or in persuading him to effect one founded on a conjunction of our interests with his own? But admitting the arguments used by the right honourable Gentleman in their fullest force, it merely resulted from them, that we might, in case of a separate peace, lose the benefit of the Emperor's co-operation; but though the House should finally vote the loan proposed to be made to him, it did not therefore follow that the vote should
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be carried into execution by actually sending the remittance, if it were to appear that a separate peace had been the issue of the negotiation between his Imperial Majesty and the enemy.

Mr. *Fox* replied that there was no probability of the negotiation remaining unterminated in twelve days: it was only a possible case, and the probability was that the negotiation was already concluded.

Mr. *Grey* said, I beg leave to trouble the Committee only for a few moments. The honourable Gentleman talks of stopping the remittances upon the event of the Emperor concluding a separate peace. But I should wish to know whether this will be in his power. It is to be recollected, that the assistance now proposed to be granted to the Emperor is not by subsidy but by loan; and I would wish to know whether he will have the same power to stop the payments upon a loan after it is contracted for, as the remittances of a subsidy. I think, therefore, that the Committee should wait till they were informed of the issue of the negotiation which they knew to have been entered into, and which by this time may have been concluded. I have nothing, however, to urge upon this head in addition to the arguments used by my honourable Friend. The honourable Gentleman, however, in the course of his speech, referred to the report of the Secret Committee, and upon this point I must say a few words. Does the honourable Gentleman mean to contend from that report that the remittances to the Emperor did not contribute materially to affect the state of cash in the Bank, and to produce those calamities which have since happened? I think I may take upon myself to argue that that is not borne out in any such inference by the report of that Committee. He contended that the remittances to the Emperor were not the immediate cause of the stoppage of the Bank, but granting that the immediate cause of that calamity, in point of time, was the alarm of invasion excited in the country, he will not prove to the satisfaction of any candid and considerate man that this was the only, or even the principal cause. If we go back to the remote causes of that unfortunate event, we shall find that the Committee has ascribed it to the drain of cash, occasioned by the amount of foreign expenditure, and materially and principally by the remittances sent to the Emperor. It appeared to the Committee that from the time that the first remittance was sent to the Emperor, there was a sensible diminution of cash in the Bank, and that these remittances, frequently repeated, reduced the Bank to such a situation, that the comparatively smaller drain which afterwards took place, produced that calamity which we all deplore, and which it

ought to be the object of our exertion, as soon as possible, to remedy. I contend, therefore, that it was the remittances to the Emperor which was the material and operative cause of the stoppage of the Bank, and that if these be continued it never will resume its payments. If the honourable Gentleman doubts my opinion, I appeal to the frequent remonstrances which were made to him by the Directors of the Bank against the ruinous system which they saw he was pursuing. Now, Sir, to apply these observations to the present question. The honourable Gentleman talks of the great advantage of continental diversions. For my part I think we have had enough of these diversions already: but allowing them their value, I would ask, whether it is of more importance for this country at the present moment to create a diversion upon the continent, or to restore the credit of the Bank? And if the latter object is of higher importance, I will appeal to any Bank Director, or to any mercantile man in the House, whether such an event will not be greatly retarded by remittances being sent to the Emperor to the amount now proposed? I do not wish to enter at all into the question of the general policy of creating continental diversions; perhaps I do not value them so highly as some others, but in the present situation of the country, to send pecuniary succours to our Ally will only be making his ruin more certain, and the terms of peace to this country more ignominious.— Though I am prepared, therefore, to give the measure my decided negative, I shall vote for the delay which has been proposed by my honourable Friend.

The *Chancellor of the Exchequer* said, that the honourable Gentleman, in supporting the motion, had taken a very different line of argument from that on which it had been proposed. He had stated what opinion he entertained of the value of a continental diversion, and therefore it was clear that, in contending for delay, they acted upon the principle of wholly rejecting the measure. The honourable Gentleman assumed that the question involved an alternative that either the Bank was undone, or the idea of a loan to the Emperor was to be abandoned. This, however, was the very point upon which they were at variance. The question, was, what line of conduct would tend permanently to establish the Bank in its former situation? What would tend ultimately to prove most beneficial to our foreign commerce, to our domestic industry, to the increase of our manufactures, to the general credit of the country, to the various causes operating upon circulation, and connected with our resources? The question was, whether the sum of two millions to the Emperor would most
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tend to promote or retard the period for which they all eagerly wished, when the Bank would be able to resume its operations; whether we were to leave Europe to its fate; whether we were to resign into the hands of the enemy the ports into which our manufactures flowed; whether, or not, this measure would leave the markets for our produce and manufactures in that situation which the permanence of our resources and the manner in which the general distribution of our wealth would be affected by its adoption? It was not, therefore, the sacrifice of the Bank which this measure involved, but it was the means of giving it permanent establishment and secure operation. In consulting the general advantage of Europe, we best consulted the solid advantage of the Bank of England, and the real interests of the country. With regard to the particular question put by the honourable Gentleman, he had only to say, that though the whole of the past advances, and those which were to be made, were to the amount of three millions and a half, for which the loan was to be made, yet in the bill power was to be reserved to authorise his Majesty, if necessary, to put a stop to the continuation of advances, and to put what further payments were to be made to the public account.

Mr. *Wm. Smith* said, that the Right honourable Gentleman accused his honourable Friend of assuming that the present measure involved the sacrifice of the Bank, while he himself equally assumed that the loan to the Emperor would produce all the good effects which he had stated. The Emperor was praised for his magnanimity and fidelity to his engagements, and he had no doubt with justice, but it did not appear that the operation of these qualities had proved so advantageous to this country; he thought it was not unlikely that any disagreement which might ensue between the Emperor and this country in the event of a separate peace, would be made the pretext of refusing payment of those sums we had guaranteed.

Sir *William Pulteney* said, that though he might be willing, for argument's sake, to admit that former remittances to his Imperial Majesty might have somewhat contributed to affect the Bank, yet it was notorious that this was by no means the case—it was likewise notorious that without the pecuniary assistance of England, it was impossible for the Emperor to carry on the operations of war—and where was the great mischief to be dreaded from our continuing to afford him that assistance? There was evidence before the Committee that the Exchange was considerably turned in our favour, and could a contrary effect be reasonably apprehended from two millions being gradually remitted? By no means; it was impossible that a remittance,

tance, thus gradually made, could in the least affect the course of Exchange. It was unjustly asserted, though the assertion had been by many and frequently made, that these remittances had been made in specie. No such thing—the Bank Directors themselves depose to the contrary. Whether the remittances were made in specie, in bullion, or in commodities, the effect on the Bank was precisely the same. As well say, that remittances in broad cloath would affect the Bank.

But even though a regard to our interest might somewhat repress our forwardness to make such remittances, in point of honour we could not withhold them. There was no one colourable reason for entertaining the least suspicion of the Emperor's fidelity—nay, to hint such a suspicion, would, on the part of this country, be neither honourable nor manly. For his part he wished the vote to pass immediately, and, if possible, with perfect unanimity. The act moreover was so framed, that if his Imperial Majesty was inclined, or should be suddenly compelled to make a separate peace, then the farther remittance of any pecuniary succour from us, would be immediately suspended. He must again repeat it, that after the many severe trials we have witnessed of the Emperor's magnanimous perseverance and faithful attachment to the common cause, it were ungenerous to harbour any suspicion derogatory to his honour, nor could any be entertained but by those who were ready to suspect every thing and every person. On every consideration he thought the present resolution should be passed as speedily and as cordially as possible; it would prove of infinite advantage to England; nor could he acquiesce in opinion with those who imagined that a separate peace with the Emperor would accelerate a general pacification throughout Europe—of the manner in which the war had hitherto been conducted, he could not approve—and the conduct of it was a subject which he trusted would, ere long, be submitted to a serious enquiry.

Mr. *Sheridan* said, the sum to be advanced to the Emperor was called a trifling sum. We had been so much accustomed to the profusion of the present Administration, that, compared with what they had squandered, this, perhaps, was considered as a small sum. The worthy Baronet, who was so much accustomed to large sums of money, might think this a trifling sum, but to him it appeared in a very different light. With regard to the effect which this loan would produce upon the Bank of England, the worthy Baronet had never shewn much tenderness for their interest, and he would rather take the authority of the Bank themselves upon this point than that of the worthy

worthy Baronet. In February last, as appeared from their own resolutions, they were of opinion that farther remittances would prove fatal to the Bank. So late as the 16th of February they were of opinion, that an Irish loan, to a smaller amount than that now proposed, would prove highly injurious, and the Bank would be compelled to shut its door. Taking the question on the grounds argued by his honourable Friend, the Committee would judge whether the certain disadvantages which the measure would produce were to be compared with the speculative advantages which had been described. Besides the loan to Ireland and to the Emperor, there would be payment for neutral cargoes to the amount of four millions. Would not these drains create obstacles to the Bank beginning their payments in cash? for answer to this he appealed to any Bank Director present. It was said we were bound in honour, but were we engaged to the end of time to supply the Emperor with money, while he had not performed the obligations he had incurred? Had he repaid what he had borrowed, or made the instalments for which he was bound? While our advances to him had almost ruined the country, were we still to go on? It was said that no payments had taken place in specie. This observation, however, was perfectly frivolous, as it was of no importance whether the remittance was made in bullion or in goods. Mr. Sheridan read the evidence of Mr. Winthorpe, who gave it as his opinion, that it was impossible that the Emperor could enjoy the benefit of the loan without this country feeling in the same proportion the disadvantage from it. To the same effect was the evidence of Mr. Hoare, which he read. It was assumed by the worthy Baronet that the Emperor could not go on without our assistance. He believed, indeed, that the Emperor, as well as other German Princes, would be glad of the money; but if the Emperor had only exceeded his annual revenue by the sum of two millions; if, as appeared from the intelligence brought by the mail, that the Emperor was to indemnify, out of his private property, the inhabitants of the suburbs of Vienna for any damage they might sustain from a siege, he could not be so destitute of funds as was represented. But be his situation what it might, he was against the measure. Even though the negociation were to be protracted, if the Emperor received intelligence of this vote, he might afterwards, without breach of faith, be compelled to make peace ten days after he received it, by the pressure he had to encounter.

Mr. *Wilberforce* said, that as one who had sat on the Committee of Secrecy, and attended to its proceedings with great diligence, he would give it as his opinion, that the advances
made

made to the Emperor had had but a small effect in producing the stoppage of payments in specie by the Bank. He thought it necessary to state that circumstance to the Committee, lest they should be influenced on the present question by a contrary opinion. It was not a fair way of putting the question, by asking whether a remittance abroad would be injurious to the affairs of the Bank. The question was, whether, if the Emperor made a separate peace, and the whole force of the enemy should then be directed against this country, the Bank might not then be most of all affected, and the credit of the country thrown into the worst state? Those Gentlemen who spoke against sending a remittance to the Emperor, went upon a very narrow principle, and miscalculated the true interests of the Bank of England.

Mr. Grey left it to the House to decide which statement was most deserving of credit—that of his honourable Friend (Mr. Sheridan) who gave the opinion of the Bank Directors, that the stoppage of payment was owing to the sending large quantities of specie to Germany; or that of the Speaker who asserted the contrary.

Mr. *Wilberforce* explained by saying, that the Bank Directors had differed from some of the most intelligent commercial men in the kingdom, whom he had followed; and of whom he was sorry a greater number had not been consulted.

Sir *James Murray Pulteney* said, that at present the enemy were obliged to keep an army of 200,000 men on the Rhine at a considerable expence, which, should they make a Peace with the Emperor, they would direct against this country, whose political importance it was their avowed object to ruin. He would therefore vote for a remittance which he conceived so necessary to keep up the diversion.

General *Tarleton* took a view of the successful operations of the French army in Italy, and argued that Buonaparte, in the midst of his successes, after having advanced above 200 miles from Mantua, and within 120 miles of Vienna, would not have consented to an armistice, had he not had good grounds to conclude that the Emperor was sincerely inclined to conclude a separate Peace: he therefore thought that no pecuniary loan from this country would alter the Emperor's determinations, or be in time to promote the interests of this country.

Mr. *Fox* replied to that part of Sir W. Pulteney's speech which stated that the honour of this country was pledged to advance this loan to the Emperor. He said, that, however little disposed he was to suspect the good wishes of the Emperor to fulfil his engagements with honour to this country, yet he
could

could not but suspect that, in the present circumstances of his affairs, he was inclined to make peace separately with France; the proclamation to his own subjects had virtually declared it, and were he now to refuse to accede to such a measure, they might justly charge him with insincerity. He saw nothing in his proclamation, or in that of the Governor of Lower Austria, which held out any assurance that he was inclined to include Great Britain in his overtures to the common enemy. How then, he would ask, could the honour of this country be forfeited, in withholding farther pecuniary supplies from him at the moment when he was detaching his interests from those of this country? Because, under a different posture of affairs, this country advanced a loan to the Emperor in 1795, was it bound, under different circumstances to make a farther loan to him in 1797? It was strange indeed, that at a time when the Emperor, by the fluctuating events of war, was obliged to violate his engagements with this country, that it should be charged with a breach of honour; and when it was under no direct engagement to make farther advances to the Emperor.

Sir *Wm. Pulteney* insisted that the Emperor had acted honourably with respect to his engagements with this country, particularly in his payment of the dividends due on the Imperial loan. Sir William denied that the Emperor had said any thing in his proclamation about making a separate peace, and without any regard to the interests of this country. It was possible, indeed, that he might be driven to such an extremity; but if he should, the blame, in his opinion, must be on the right honourable Gentleman opposite to him, (the Chancellor of the Exchequer) for having so long delayed, and having brought forward with so much hesitation, the proposition contained in the message which he had now brought down to that House. With regard to the argument drawn from Buonaparte's success, in favour of the Emperor's being compelled to make a separate peace, Sir William said it appeared to him that that General's having so rapidly agreed to an armistice, indicated that he did not feel so sanguine in his expectations of final conquest as had been supposed.

Mr. *Carter* said, that this country was not in a situation to afford such a loan to the Emperor; it was, in his opinion, of a dangerous tendency, and calculated to destroy the credit of the country. The opinion of the Directors of the Bank, on the tendency of these foreign remittances, had been verified,

fied, and even were they to procure the farther co-operation of the Emperor, this might be purchased too dearly, whilst it risked the ruin of the country.

Mr. *W. Bird* argued that, but for these foreign remittances, the Bank would not have been brought into its late critical situation. He stated that in consequence of the loan, and the drain of money from this country in 1795, the Bank had been deprived of one half of its cash, and from the farther advances in the year following, it had lost one fourth part more.

The question being loudly called for, there appeared,

<i>Noes, (Against Mr. Fox's motion),</i>	—	193
<i>Ayes, (For it)</i>	— — —	58

<i>Majority,</i>	135
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LOAN.

The resolutions were then carried, the House resumed, and the report ordered to be received the next day.

The House in a Committee of Ways and Means voted, "That Exchequer bills made out after the 1st of May, 1797, may be paid in for the subscription of 18 millions.

"That 5l. per cent. be allowed to persons paying in their subscription before the instalments due."

To be reported the next day.

Adjourned.

HOUSE OF LORDS.

TUESDAY, *May 2.*

Heard counsel, and examined evidence on Mr. Macauley's Divorce Bill, and ordered to be committed.

Lord *Grenville* brought a message from his Majesty; the same as that which was brought to the House of Commons on Saturday, and taken the preceding day into consideration in a Committee of that House.

The message being read,

Lord *Grenville* said, he thought it his duty to state in respect to the House, that he had it in command from his Majesty to make this communication sooner. That on Saturday it was impossible, as their Lordships did not sit; that the preceding day he came down to the House at the time when business usually commenced with their Lordships, but the House happened to be adjourned. He now moved, "That his Majesty's message be taken into consideration on Thursday

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day next, and that the Lords be summoned."—Ordered.—Ad-
journed.

HOUSE OF COMMONS.

TUESDAY, May 2.

The report of the Committee of Supply was brought up, and the resolutions were agreed to by the House.

The Committee to try the merits of the petition against the election for the city of Canterbury were appointed.

The loan Bill was read a second time and committed for the next day.

The report of the Committee of Ways and Means was brought up, and the resolutions were agreed to.

Mr. *William Smith* asked, how the terms in the present British loan were worse for the public; in consideration of the loan to the Emperor there was a very considerable *bonus*, whereas the present is borrowed on nearly the same terms with that for this country.

Mr. *Mainwaring* brought up the bill for preventing the forestalling of butchers' meat, which was read a first time, and ordered to be printed.

The merchant seamen's bill passed through a committee of the whole House.

The ballot on the Shrewsbury election was discharged from the 25th of May to the 30th of September next, on the motion of Sir R. Hill.

The Committee on the Treaty of Commerce with America was deferred to Friday se'nnight.

The other orders of the day being disposed of, the House adjourned.

HOUSE OF LORDS.

WEDNESDAY, May 3.

The Royal Assent was given by commission to fifteen public and six private Bills. The Lords Commissioners, who sat in their robes, were the archbishop of *Canterbury*, Lord *Kenyon*, and the Earl of *Liverpool*.

The various bills on the table were forwarded in their respective stages; among these were Cooke's Divorce bill, which was referred to a Committee of the whole House, Lord *Walsingham* in the chair.

In the Committee, Lord *Auckland* moved, That the clause
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be omitted which went to bastardize the issue, of Mrs. Cooke, after the passing of the act, because there was no evidence before the House of the time when the separation between the husband and wife took place.

The Bishop of *Rochester* coincided in the propriety of expunging the clause. There was a still stronger reason for it, namely, That it did not appear in evidence that Mrs. Cooke had left the house of her husband at all.

The clause was then ordered to be expunged.

Lord *Auckland* observed, that this proceeding need not in the least aggrrieve any of the parties, for they still had an opportunity to restore the omission on a future stage of the bill, by substantiating in evidence the facts which had been alluded to.

The House was resumed, received the report, and ordered the bill to be read a third time.

MESSAGE FROM HIS MAJESTY.

Lord *Grenville* brought down a message from his Majesty, which was read by Lord *Kenyon*, to the following purport :

"That his Majesty acquainted their Lordships that he had agreed to a proposed marriage between his eldest daughter, the Princess Royal, and his Serene Highness the Hereditary Prince of Wirtemberg; that his Majesty was persuaded that an alliance with a Protestant Prince, of high rank and station, and a Prince who derived his descent in common with his Majesty's Royal House, from the Princess Sophia of Hanover, must be particularly acceptable to their Lordships. And that from the many proofs which his Majesty had had of the affection and attachment of that House towards his person and family, he did not doubt but that their Lordships would enable him to grant such a portion as would be suitable to the honour and dignity of the Crown."

Lord *Grenville* then moved an address to his Majesty, in answer to his gracious message, which he just prefaced by observing, that the utmost unanimity must prevail the House on such an occasion, and that all their Lordships must feel happy in expressing their sincere congratulation at an event which produced such an advantageous alliance, and contributed to the domestic happiness of his Majesty's Royal Family.

The address was read and agreed to, *nem. diss.* and ordered to be presented by such Lords as were of his Majesty's Privy Council.

The Duke of *Bedford* said, that he was not present in the House when the report of the Secret Committee was laid before their Lordships on Friday last. He now took
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an opportunity of declaring his dissent from that report, and moved that their Lordships be summoned on Friday se'n-night, to take it into consideration. He gave notice at the same time, that he would then move some resolutions upon the subject of that report. Their Lordships were ordered to be summoned to attend on that day.

MUTINY OF THE SEAMEN.

The Duke of *Bedford* asked whether any of his Majesty's Ministers had it in charge, from his Majesty, to make any communication upon the recent important transactions which had occurred in the marine department? If no such communication was made, either now or on a future day, he should find himself called upon to bring a subject, so connected with the best interests of the country, before their Lordships, by moving for the production of certain papers connected with it.

Earl *Spencer* replied, that he had it not in command from his Majesty to make any communication to the House, nor did he foresee than any communication would be made upon that subject.

Earl *Howe* said, that as his name had been mentioned in the transaction alluded to, he had anxiously waited for a suitable opportunity to explain to their Lordships the part which he had acted in the business. Had any censure been attached to his professional character, he would have looked to another quarter for an enquiry into his conduct. But as the blame which had fallen upon him in the present instance related to his conduct in a capacity different from that of an officer, he looked to their Lordships for his vindication. The explanation, therefore, for which he was called upon, he should take an opportunity of giving when the noble Duke brought the subject before the House. He expressed a wish, however, that for the sake of the service, the business had never been brought under discussion, for the legislature would be brought by it into a most delicate situation. Either they must approve of transactions which there was no man who did not wish had never happened, or they must withhold that approbation, and thus acknowledge that they have made concessions under the pressure of the moment which they think improper to confirm.

Lord *Grenville* agreed entirely with the noble Earl (Lord *Howe*) as to the inexpediency and impolicy of bringing the subject under discussion, and entreated their Lordships to allow mat-

ters to rest as they were. He had, therefore, no hesitation in declaring that he should steadily oppose any motion which might be made for the production of papers relating to a subject of such a delicate nature, that it could not be agitated without risking the most serious danger.

The Duke of *Clarence*, declined giving any opinion upon the propriety of introducing any discussion upon the present subject in a political view, but as a professional man, he deprecated such a discussion as pregnant with the most dangerous consequences to the service.

The Earl of *Carlisle* did not presume to give any opinion upon the propriety or impropriety of entering into the discussion of transactions to which no one was a stranger at the present moment. But he wished to know, whether the period for discussion was never to come; whether their Lordships, as forming one branch of the legislature, were to be kept in perpetual ignorance of events which were the most serious in their nature of any that had ever occurred in the country, and which had shaken the pillars of the state to their very foundation? With respect to the period which might be the most fit for agitating matters certainly of great delicacy, there was no man for whose opinion he should have so much deference, as that of the noble Earl (Lord Howe). But as a member of that House, he could not assent to the doctrine of Government holding perpetual silence upon these transactions.

The Duke of *Bedford* said, he was now too well acquainted with the issue of motions in that House, which the King's Ministers intimated their intentions to oppose. He certainly therefore should not make an attempt to bring the present subject into discussion, which he well knew would be fruitless. But if he could conceive any terms in which he could couch a motion for the production of the papers connected with it, he would make that motion now; as the transactions, however, to which he referred, were without a parallel in history, for he knew of no instance but the present, in which the Ministers of the King had entered into correspondence and negotiation with any body of his Majesty's subjects; to conceive the proper terms for a motion on such a subject was no easy task. If any mode occurred to him of obtaining these papers, he should propose it to the House on a future day, without any preface or recommendation, leaving it entirely to the decision of their Lordships.

Lord Viscount *Sydney* deprecated all discussion upon a subject

ject of so great delicacy as the present, as it could do no good, and might produce much harm. He allowed, however, that if it was to come in any shape before their Lordships, that proposed by the noble Duke was the simplest, and therefore the best. Whether the discussion might or might not be brought on at a future time, he could not take upon himself to determine; all he contended for was, that the present was not the proper time.

Earl Howe rose again and said, "between the second week in last February and the middle of March, being then confined by illness at Bath, I received, by the post, several petitions, purporting to be transmitted from different ships of the Channel fleet. They were all exact copies of each other, limited solely to a request for an *increase of pay*, that the seamen might be able to make better provision for their families, decently expressed, but without any signature. I could not reply to applications which were anonymous, nor acknowledge the receipt of them to parties unavowed and unascertained. About four or five of the petitions first received, though little different in the hand writing, were obviously dated by the same person, and I had therein further reason to think that they were fabricated by some malicious individual, who meant to insinuate the prevalence of a general discontent in the fleet.

Not resting, however, on this conclusion, I wrote to the officer at Portsmouth, to whom I was naturally to expect such applications would, in my absence, be addressed, to enquire whether any such dissatisfaction existed in the fleet. The answer was, "that no such appearance had been heard of there, and it was supposed the petitions had been framed for the purpose I suspected."

On the morning of the 22d of March, the day after I was able to come to town, one of the Lords of the Admiralty, now absent on service, happened to call upon me, I related these particulars to him, shewing him the petitions, and sent them the same day to his house, in the office, that they might be communicated to the noble Earl who presides at that Board.

Of the subsequent events I have no other knowledge but such as is to be obtained in the daily papers. Demands for an increase of pay, by a fleet or army on service, are not to be discussed, I apprehend, in anonymous correspondence.

Lord Grenville said, the noble Earl must have fully satisfied the House, that in the present instance, as well as in every

30 WOODFALL'S PARLIAMENTARY REPORTS. [COMMONS,
every other, he had done his duty to the public, and credit to
his profession. He moved, "that the House do now adjourn."
The House adjourned.

HOUSE OF COMMONS.

WEDNESDAY, May 3.

Alderman *Anderson* presented a petition from the debtors confined in Newgate, praying for an encrease of the allowance for subsistence, which was ordered to be laid on the table.

The *Speaker* attended in the House of Lords, to hear his Majesty's commission read, and on his return, informed the House that the Royal Assent had been given to the bill for continuing the Order in Council relative to the Bank, and various other bills.

A motion for the second reading of the Middlesex County Quota bill being read,

The Marquis of *Titchfield* stated, that he was not actuated by any motives of personal interest on the present occasion, as was proved by the offers which had been made to accommodate the business, but he contended that the proprietors in the parish of St. Mary-le-Bone, having the sanction of the legislature as to the rates at which they were assessed had acted under this sanction, and therefore ought to be maintained upon that principle. He moved, instead of "now," that the bill should be read a second time, "this day three months."

Mr. *W. Dundas* seconded the motion.

Mr. *Sheridan* denied that there had been such pledges of Parliament as the noble Marquis stated. If any pledges had been made, they were, that all county rates should be fairly proportioned, and a due regard be paid to the interests of different parishes. At present the little parish of St. Paul's, Covent-Garden, paid 513l. in county rates, while the rich parish of Mary-le-Bone, paid only 51l. 13s. 9d. These certainly were times when men of great rank and property, instead of attending to their personal emolument, ought rather to set examples of impartial justice to the country. He hoped, therefore, that the noble Marquis would not persist in opposing the bill.

Mr. *Courtenay* made an ironical speech against the bill. The bill must, he said, have been framed by Jacobins, as the petition against it stated it to be founded on the visionary basis of equality, by which the great and rich parish of Mary-le-Bone was intended to be put upon a level with that of Spital-fields.

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The lawyers had supported it, but their secret motive no doubt was, because it would encourage suits in Chancery. The grant of the lands in Mary-le-bone had been made by King William to an *old Whig*, who had been a zealous asserter of liberty in this country, and had co-operated to bring Ireland into that state of freedom and happiness which it now enjoyed. He hoped there would be as great a majority against the Bill, as there had been for delaying voting money to the Emperor for only three or four days, till it was known, whether or not he had made a separate peace.

Sir *Wm. Young* supported the Bill.

Mr. *Mainwaring* said, the Bill was not to alter, but to explain the law; for the Legislature could never mean that the riches of any parish should be a reason for its not paying a much rates as others. He further said, that he thought the objections of the Marquis of Titchfield might be considered in the Committee.

In this the Speaker coincided.

Mr. *Curwen* recommended it to the Noble Marquis to withdraw his motion.

The Marquis of *Titchfield* consented to do so; and said, that he did not contend for any pecuniary value; he should be ashamed to have done so.

The Bill was read a second time, and committed to a Committee, consisting of the Gentlemen of the Long Robe, Members for the Home Counties, &c. &c.

HIS MAJESTY'S MESSAGE.

The *Chancellor of the Exchequer* brought up a Message from his Majesty, the same as that delivered by Lord Grenville in the House of Lords, relative to the marriage proposed between the Princess Royal and the Hereditary Prince of Wirtemberg.

The *Chancellor of the Exchequer* said, that the subject was of such a nature, as he was sure made it unnecessary for him to say a word on the complexion of the Address which the House should make in return.—He therefore should move, that an humble Address, &c. be presented to his Majesty. The Address was an echo of the Message.

BANK OF ENGLAND.

Mr. *Grey* gave notice, that on Friday se'nnight it was his intention to move certain Resolutions, founded on the financial reports which had been laid before the House.

IMPERIAL LOAN.

Mr. *Fox* rose to ask the Chancellor of the Exchequer whether, after the intelligence which Ministers he believed had received,

received, and of which the public were now in possession, it was his intention to go on with the loan to the Emperor? He wished to know whether, after the Emperor had concluded a separate peace, after they saw the situation of affairs on the Continent, when they saw the delusive hopes held out by the right honourable gentleman blasted, and the statements on which he had proceeded proved to be false, was it possible for those who had trusted to his declarations, was it possible for the House in such circumstances to go on? When the report of the Committee of Supply was agreed to the preceding night, this important intelligence he understood was known to Ministers, though they had given no such information to the House; and he wished to know whether it would make any difference in their measures upon this subject? He wished for some delay at least before the matter was pressed farther: at all events there were future stages on which it would be submitted to the consideration of the House.

The *Chancellor of the Exchequer* declared that no such intelligence had been received by Government previous to the bringing up of the Report alluded to by the right honourable gentleman. All that Government knew at present relative to a peace between the Emperor and France, was only from the authority of French newspapers; in which the particulars of such an event were not detailed; and from these papers, together with the manner in which the accounts were given, it did not appear that there was sufficient to induce the House to enter upon the discussion at that time. Upon this subject, therefore he should say no more, until he had information that could be relied on. There were future stages for the discussion of the measure of the Imperial Loan. Farther he declined saying.

Mr. *Fox* said that he meant to say that Ministers were in possession of the information now before the public, at the time when the Report of the Imperial Loan Resolutions was agreed to, though nothing had then been said of it.

The *Chancellor of the Exchequer* said, that he had then seen none of the French papers. He understood subsequent to it, that French papers were in England with accounts of preliminaries being signed, but though he had known all he knew now, he would have done just as he had done.

Mr. *Sheridan* wished to know whether the House might understand that no money would be sent to the Emperor till the truth of the information was ascertained?

The *Chancellor of the Exchequer* said, he did not mean then to put off the subsequent stages of the Loan Bill; he would however

however postpone the order which stood for that day till the next, because it was necessary first to vote the Irish Loan, in the resolution on which some alteration was to be made.

Mr. *Jekyll* said he was not satisfied with the answer the Chancellor of the Exchequer had made. He wished to know whether any money had been sent to the Emperor since the vote of the preceding night?

The *Chancellor of the Exchequer* made no answer.

Mr. *Jekyll* then said, he should move for an account of the money sent to the Emperor since the vote of the preceding night.

The *Chancellor of the Exchequer* said, he was willing to second this motion.

The Report from the Committee on Waste Lands was read, and the further consideration postponed till Friday.

Mr. *Jekyll* said, that, availing himself of the support of the Chancellor of the Exchequer, he should move for an account of all the money sent to the Emperor above the sum of 1,600,000*l.*

The *Chancellor of the Exchequer* begged it to be understood that, though he had no objection to this motion, he did not second it, as it was very different from that he agreed to second.

Colonel *Egerton* moved, that Lord Brome should be allowed to go to the country on urgent private affairs.—Agreed to.

In a Committee of Ways and Means the Chancellor of the Exchequer moved a resolution, that a sum of 1,500,000*l.* be raised by way of annuity, for the service of Ireland, which was agreed to. The House resumed, and the Report was ordered to be received the next day.

The Loan Bill Committee was put off till the next day.

The West India Governor's Indemnity Bill went through a Committee, and the Report was ordered to be received the next day.

Leave was given to bring in a Bill to continue the Scots small Note Act.

WASTE LANDS.

Sir *John Sinclair* brought up the Report of the Committee appointed to enquire into the expediency of a General Inclosure Bill. In recommending the Bill, the Report stated, "that a Bill *should pass, &c.*"

The *Chancellor of the Exchequer* objected to these words; and the *Speaker* said they were unparliamentary and irregular; the words ought to have been, "that a Bill be *brought in, &c.*"

The *Solicitor General* said, that a General Inclosure Bill

could not be adopted without great injury, and destroying the rights of a great number of individuals.

Sir *John Sinclair* was astonished that any gentleman could object to a measure which must tend so much to promote the general prosperity of the country.

On the suggestion of the *Speaker*, the Report of the Committee, which seemed likely to produce some difference of opinion before leave could be given to bring in a Bill on it, was ordered to be referred to a Committee of the whole House on Friday next. Adjourned.

HOUSE OF LORDS.

THURSDAY, MAY 4.

The Order of the Day being read for taking his Majesty's Message into consideration, respecting granting a further loan to the Emperor, and raising a sum for the service of Ireland,

Lord *Grenville* said, that he should only detain the House for a few moments. Of the propriety of sending 1,500,000*l.* to Ireland in the present state of affairs in that country, he supposed that none would be disposed to doubt. The 1,600,000*l.* which had been already advanced for the service of the Emperor, he also conceived that their Lordships could have no objections to make good. And when the present situation of Europe was considered, and the object of an honourable and permanent peace kept in view, he was convinced that no measure could be adopted which would tend so effectually to promote that object as guaranteeing a loan for the service of his Imperial Majesty to the amount of 2,000,000*l.* more. He therefore proposed an Address, which was the echo of the King's Message, and which was agreed to *nem. diss.* Adjourned.

HOUSE OF COMMONS.

THURSDAY, May 4.

This being the day for the consideration of the petition complaining of an undue election for the borough of Malmesbury, there only being ninety-five members present at four o'clock, the House adjourned.

FRIDAY, May 5.

The Scotch Notes Bill was read a first time.

The West India Governor's Indemnity Bill was reported, and ordered to be engrossed.

Lord *Steyford* reported, that his Majesty had been waited
upon

upon with the Address of that House, respecting the proposed marriage between the Princess Royal and the Prince of Wirtemberg, and that his Majesty returned thanks for their dutiful Address, and for that attachment which they had uniformly shewn to him and his family.

Mr. *Long* brought up accounts stating the amount of bills drawn within a twelvemonth from St. Domingo, which, upon the motion of Mr. St. John, were ordered to be printed.

Mr. *St. John* gave notice that he should postpone his motion respecting the situation of the troops, and the expences of St. Domingo, till Thursday next.

The *Chancellor of the Exchequer* moved, that an humble Address be presented to his Majesty, that he would be pleased to cause to be laid before the House copies of addresses from the Assembly of Jamaica to Major-General Williamson, of the 7th of October 1794; also copies of the articles of the instructions given to General Williamson; copies and extracts of letters from Secretary Dundas to General Williamson and William Hutchkinson, Esq. and the copy of a letter from the Duke of Portland to W. Hutchkinson, Esq. of the 9th of August 1796, on the subject of the St. Domingo revenue; and also an extract of a letter from Secretary Dundas to Governor Simcoe.

Mr. *Pybus* brought up an estimate of the encrease of pay to the seamen and marines on board his Majesty's fleet for one year, from the 3d of May, pursuant to the order of Council; together with an estimate of the expence of the full allowance of provisions, which were ordered to be laid upon the table of the House.

The *Chancellor of the Exchequer* said, that he should propose on Monday that these papers be referred to a Committee of Supply.

KENT ELECTION.

Mr. *M. Dowall* reported from the Committee on the Kent election, that they had determined that Sir William Geary was duly elected, and neither of the petitions was frivolous or vexatious.

The resolution of the Committee of Ways and Means on the Loan to Ireland was brought up, read, and agreed to.

The Members of the Committee to try the merits of the Malmesbury election were appointed.

The House in a Committee on the Loan bill.

The *Chancellor of the Exchequer* said a few words, which Mr. *Tierney* desired the Minister to explain.

The *Chancellor of the Exchequer* said, that he had already stated, as distinctly as he could state, that it was his intention to propose in the bill now before the Committee, that provision be made for the repayment of the advances that have been already made to the Emperor. But that it was not his intention at present to make any provision for further advances to be made to the Emperor, according to the ground which he had for forming his opinion at that moment.

The bill then passed the Committee, and the result was ordered to be received the next day.

PORION OF THE PRINCESS ROYAL.

The *Chancellor of the Exchequer* then moved, that the House do now resolve itself into a Committee of the whole House to consider further of a supply to be granted to his Majesty.—Agreed.

He then moved that his Majesty's gracious Message be referred to the said Committee.—Ordered.

He then moved that the sum of 80,000*l.* be granted to his Majesty, to enable his Majesty to give a portion on the marriage of the Princess Royal.

Mr. *Curwen* said he would not oppose the resolution which was now proposed, but he could not help saying, that considering the burthens which have been lately imposed upon the people, and the great necessity there was to take care that they should be made to bear as little more as was possible; considering many things which he need not enumerate, he would have been happy if, instead of coming to the country, the King had provided for this marriage himself. At such a moment as this, when the sums imposed upon the people were so great, there was nothing that could be done to spare the people that ought not to be done. He was as willing as any other man to express all necessary affection for the Throne and for the different branches of the Royal Family; but at such a moment as the present, he must repeat, that he thought it would have a good effect if this expence was defrayed by his Majesty himself.

The resolution was then put and carried.

NEUTRAL CARGOES.

Mr. *Hobhouse* stated, that the Chancellor of the Exchequer had held out the amount of the neutral cargoes as amounting only to 800,000*l.* at the opening of the last budget, whereas the claimants made it out to be 1,554,888*l.* 4*s.* 9*d.* this would occasion a great deficiency in the Ways and Means of the year. Besides, it was the opinion of the Bank Directors, that these
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would insist on payment of their claims in specie, or bullion; this would be a great drain out of the kingdom.

The *Chancellor of the Exchequer* explained. He had said nothing in the budget about neutral cargoes. The honourable Gentleman mistook the matter, and confounded the thing which he had alluded to with the Dutch captures to that amount; they were the property of his Majesty by virtue of his prerogative, but which his Majesty has ordered to be applied in aid of the public service. With respect to the claimants of neutral cargoes insisting on payment in specie, or bullion, he knew not of any right they had to insist on such payment any more than others, nor of any power they had to enforce such demands; they must be satisfied by bills, like other creditors, while the regulation lasted.

The House being resumed, the report was ordered to be received the next day.

The House agree to go into a Committee of Supply on Monday.

WASTE LANDS.

Sir John Sinclair moved the order of the day, which was for the House to resolve itself into a Committee of the whole House, to consider of the report of the Select Committee on Waste Lands.

The House in a Committee,

Sir John Sinclair moved, that the Chairman be directed to move the House for leave to bring in a bill for dividing, allotting, and inclosing waste lands in England, by agreement of parties interested therein, and for removing certain legal disabilities in parties to do so.—Agreed.

Also, that the Chairman be instructed to move for leave to bring in a bill for enabling any person or persons who may be entitled to waste lands, to inclose and allot the same in severalty.

The *Solicitor General* said, he was glad that the honourable Baronet had divided his bill into two; the former was not an object of discussion, but he apprehended there were very material objections to the second.

The question was put and carried, and the House being resumed, leave was given to bring in the two bills.

The other orders of the day were deferred.—Adjourned.

SATURDAY, MAY 7.

The Scotch Small Note bill was read second time, and ordered to be committed on Monday.

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The report of the Committee of Supply relative to the portion of the Princess Royal was brought up and agreed to.

The report of the Loan bill was brought up, read, and agreed to, with various amendments, and ordered to be read a third time on Monday.—Adjourned.

HOUSE OF LORDS.

MONDAY, *May 9.*

Received several bills from the Commons, which were read a first time.—Adjourned.

HOUSE OF COMMONS.

MONDAY, *May 9.*

Mr. *Rose* brought up the Stamp Duty-bill, which was read a first time.

The Loan bill was read a third time, and passed.

Mr. Secretary *Dundas* brought up the papers which were moved for on Friday last, relative to St. Domingo.

The *Chancellor of the Exchequer* requested Colonel *Walpole* to put off his motion respecting the Maroons to give way for the important business which he was to bring on in the Committee of Supply.

Colonel *Walpole* deferred his motion till Thursday.

Mr. *Tierney* said, he had petitions in his hand from a class of men whom he had only to name in order to call the attention of the House to their interests, he meant the persons employed in the dock-yards, on the river Thames, ship-builders, sail-makers, caulkers, and rope-makers, whom no body should offend. They complained that a clause had been introduced into a bill now passing through the House, which struck at the means they possessed of supporting themselves and their families, at the same time that it would prove highly injurious to the interests of the country. The clause was one of which, he believed, very few persons in the House were aware. It went to nothing short of a repeal of the Navigation Act, by allowing the East-India Company to build their ships in India. He should now move for leave to bring up the petitions, to which he hoped the House would listen with attention, and not without some astonishment, that Ministers, under all the circumstances of the times, should consider this as the fit moment for irritating the people employed in the dock-yards.

Mr. *Ryder* said, he had it in contemplation to move that the clause

clause in the bill, against which the petitions were directed, should be left out, and he submitted it in that case to the honourable Gentleman, whether it was necessary for him to persist in bringing up the petitions. He denied that the bill had been carried in a clandestine way through the House, or that, supposing it to have passed in its present form, that it would at all have the effect which the honourable Gentleman had represented.

Mr. *Tierney* congratulated the House on the honourable Gentlemen on the other side having learned to concede expeditiously, but persisted in his motion for bringing up the petitions with which he had been entrusted.

Mr. Secretary *Dundas* asserted that there was nothing farther from truth than the statements of the honourable Gentleman. He contended that it was the honourable Gentleman, not the bill now before the House, who wished to repeal the Navigation act. That act applied to Asia as well as to America. Had the honourable Gentleman never heard of the *Britannia* and the *Sir Edward Hughes*, ships, both of which were built in the East-Indies, and which were now in the service of the East-India Company. Nothing was more clear than that ships, according to the Navigation act, might be built in India as well as in Canada; how far it might be a measure of policy to comply with the petitions of the people in the dock-yards, was another question, though he was by no means of opinion that the allegations contained in them were true, even in view of their personal interest, far less national advantage.

Mr. *Fox* declined going into any discussion upon the Navigation act, but he contended that the question of the Company's right to build ships in India could not be so clear as had been represented by the honourable Gentleman, else it would not have been deemed necessary to introduce a clause into a bill for the purpose of ascertaining it.

After repeated explanations from Mr. *Tierney* and Mr. *Dundas*, the former gave notice that on a future day he should bring the subject regularly before the House.

Mr. *Tierney* presented several petitions against the clause in the bill from the journeymen sailmakers of the port of London, the body of caulkers, and a body of men whom, he said, it would not be prudent in any person to irritate—the rope-makers.

Mr. Alderman *Curtis* presented a petition to the same effect from the ship builders of the port of London, as did Mr. *Sham* from the mast-makers, and Mr. *Mainwaring* from the sawyers.

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The several petitions were brought up, read, and ordered to lie upon the table till the third reading of the bill.

Mr. *Bryan Edwards* said, he wished before the petitions were disposed of to enter his protest against some facts stated in the course of the conversation.

The *Speaker* informed the honourable Member, that the petitions were already disposed of, and a new motion before the House.—(A general laugh!)

COMMITTEE OF SUPPLY.

The *Chancellor of the Exchequer* moved the order of the day for the whole House to resolve itself into a Committee of Supply, and that the papers containing the estimates of the increased pay of the seamen and marines, with the additional charges of victualling, which were laid before the House on Friday last, be referred to the consideration of the Committee.

These motions being agreed to, the House resolved itself accordingly into the Committee, Mr. *Hobart* in the chair.

SEAMEN AND MARINES ADDITIONAL ALLOWANCE.

The *Chancellor of the Exchequer* rose. He said, that in consequence of the late transactions which had made it necessary to raise the wages of the men of his Majesty's fleet, and in pursuance of the estimates furnished for that purpose, he felt it incumbent on him to propose to the Committee to grant a sum adequate to enable his Majesty to provide for the various exigencies likely to be incurred as specified in those estimates. He was ready to acknowledge, that he felt peculiar embarrassment, and laboured under great disadvantage in stating the supply, because it was always understood, that where any increase was proposed, certain grounds should be given to proceed on, for the purpose of ascertaining the propriety of that increase. This argument applied very strongly to the measure which he was about to submit to the judgment of Gentlemen, as the increase intended was of a very considerable nature, and such as was unavoidable during the continuance of the war. It might therefore be expected, that the different rates of wages, various data, circumstances and other matters would be brought forward to shew the proportionate progression necessary to be observed. Yet he should say, that with every view of public utility, with every consideration relative to prudence and policy, and with every possible attention to the delicacy of the case, he did not feel himself at liberty to proceed into a regular and formal detail of what he had no doubt, had

had for some time past engaged the serious attention, and occupied the anxiety of the House. He should, therefore, on these grounds, rather rely on, and even claim the silent indulgence of the House, than enter into any detail of the very important subject; which was then proposed for their acquiescence. At the same time that he confessed his inability to discuss the business in the regular way, it was necessary for him to declare, that as to any opportunity of information which might be expected from Government on the subject, it could not be too strongly impressed on the minds of Gentlemen, that too much caution could not be used in an affair in which the slightest misrepresentation might produce the most disagreeable consequences. He had sufficient ground to suppose, that nothing could so effectually terminate the difficulties to which he might be understood to allude, as a knowledge of the vote of the House on the object which then engaged their attention. He therefore, did not hesitate to say, that from the past circumstances, and the present general situation of things, he felt it his duty to ask and solicit the silent judgment of the House. In alluding to the estimates before the Committee, he trusted, that the particular amount would not be the chief object of their attention; and he should, therefore, without any more preliminary observations, state at once the different sums necessary to be voted. In the first instance, the amount of the various allowances of wages, increasing in a proportionate ratio of 5s. 6d. 4s. 6d. and 3s. 6d. per month, or, in other words,

The respective increase of monthly pay for able seamen, ordinary seamen, and landmen, with 2d. per day to the Non Commissioned officers of marines, and 2½d. to the privates, would produce a sum total yearly of

351,000

To which the yearly increase of 1-8th of the whole victualling of the Navy was to be added, making at the rate of 19s. per month each man for 13 months in the year, the sum of

85,000

And forming together the sum total of

£. 436,000

It was his duty to state the probable amount of the increased expence in wages, and in victualling for one year, yet he should not state it actually for the rest of the year at a rate higher than 19s. per month, which was the old rate allowed in the navy, and the Committee could not but be convinced of the necessity of a just and proportionate addition to be then made, for, in forming the estimates it was found impossible to deviate from the old standard or rate of calculation, which was 19s. per month allowance for victualling.

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vauelling. It should also be observed to Gentlemen, that there were very different periods at which the payments of the wages of ships became due, and considering all these circumstances together, and comparing their relation with each other, he should merely state the supply proposed to be voted to provide for the increased wages and victualling of the seamen and marines of the fleet for nine months, and he should take it at an average sum of 372,000*l*. He should, therefore, move

"That it is the opinion of this Committee, that a sum not exceeding the sum of 372,000*l*. be granted to his Majesty towards enabling him to meet and provide for the expenses to be incurred by an increase of pay to his Majesty's seamen and marines, according to the addition directed by Order of Council of the 3d of May, 1797, and by the proposed issue of full allowance of provisions."

Mr. Fox said, I certainly shall vote for the resolution which is now before the Committee; but I cannot do it in the manner which the right honourable Gentleman proposes, namely, to give it silently. I cannot do so without betraying my constituents. He seems to deprecate discussion upon this subject at this moment, as being likely to increase our difficulties. It is not to discussion, but to silence we owe that difficulty. This House should not have been the confidants of the Minister, and remained silent so long upon this subject. Had this House interposed upon the commencement of this matter, instead of indulging the Ministers with the scandalous delay of a fortnight, for which I hope that at a future period Ministers will not only be considered as responsible, but will also be made seriously to answer, I verily believe we should not have heard any thing of the misfortunes which have recently happened. The Minister has said that much of what has recently happened was owing to misrepresentation and consequent misunderstanding, and that debating the subject is not the way to put off the evil; that it can only be removed by voting a remedy for it in silence. I say that silence has been affectedly preserved in this House in order, as I told the Minister long ago, to give him an opportunity of doing away the effect of any misrepresentation or consequent misunderstanding that had taken place when we heard of this business first, and to avoid any future misunderstanding. It has not produced that effect; nor do I think it was well adapted to produce it; for I am convinced that secrecy is but seldom, if ever, so good a mode of avoiding a misunderstanding as discussion. I will

will not now go into the detail of the conduct of the Admiralty upon this most delicate, critical and important business, during the Easter recess. Indeed I have not, nor has this House, any authentic information upon it. From what I have heard, however, in common with the public, I have strong doubts of the propriety of that conduct; it seems to have been that of neither denying nor granting, but an endeavour to bargain with the seamen, and to offer them less than was reasonable they should have, since it was less than is now proposed to be voted in this Committee. The evil of this is, that you have encreased, instead of diminishing, the suspicion of the seamen, and more especially some personal diffidence which it appears they entertain. This House might on the Monday or the Wednesday following the notification of the discontents have voted that which is now proposed, and it is inexcusable in Ministers to have delayed it so long. But most extraordinary indeed it is that silent confidence in Ministers should be now demanded of this House. I say that, after seeing the criminal conduct of Administration upon various occasions, but most strikingly upon this, if this House now continues its silent confidence, and continues a blind trust in men who have so misconducted themselves, it will be little less blameable than Ministers have been. It will be criminal in this House to repose trust and continue power in the hands of men, who we know by bitter experience to be unfit to conduct our affairs; who have shewn a degree of guilt, or incapacity, or both, that has led us to the brink of destruction. I say this is not a time, nor are the present circumstances, in which we should repose confidence in administration generally, even supposing it to be the reverse of what I think it is, namely, the best of all possible administrations; but, least of all, to such an administration. Ministers cannot say they were not warned of the danger of delay upon this most important of all subjects. I asked the Minister as early as I could what was intended to be done, and when. I entreated that he would not suffer any delay to take place. I repeated my questions and intreaties, and if I have any reason to blame myself at all for the part I took, it is for not having repeated my desires still oftener. That it should be now supposed that any good can arise out of secrecy and silence upon this subject is ridiculous. The thing is absolutely impossible. Does the right honourable Gentleman really think that not only now, but for ever, the cause of this discontent is to remain a secret? Does this House really mean

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to say to the people of this country that, after what they know has happened at Portsmouth upon the commencement of this misunderstanding and since, that they will never inquire into the cause of it? Are we so abandoned as to determine never to have any responsibility upon ourselves, but that we are to say, we will leave the whole of it, under a blind confidence, to our Executive Government to manage? I say, we ought to take responsibility upon ourselves; it is our first and greatest duty, without the due performance of which we shall be worse than useless to the public. If we neglect that duty, consider what may be the effect of this. What has happened may happen again. What is it that has already appeared before us?—That grievances have been complained of, and have not been sufficiently attended to. The cause of these complaints cannot be fully known. I declare, upon my honour, I do not know the cause. All I know is what I have seen in newspapers, related as having passed between the Admiralty and the Delegates of the fleet. I never heard how far the Admiralty conceded to, or opposed, the wishes of the seamen. I never understood the matter to this day, and even now I do not fully understand it. Why then, I ask, how I am to do my duty to the people of England, in voting away their money on circumstances that are more important, perhaps, than any that ever came before us till now, without knowing the real truth as to the cause of that vote? I say that we ought to know that cause; for, without it, how can we be satisfied that the remedy is adequate to the evil? I say, also, that if Ministers were as successful in all their plans as they have been unsuccessful; if they had fulfilled all their promises as uniformly as they have disregarded them; if they had gratified our wishes in proportion as they have disappointed our expectations, it would even then be the duty, the bounden duty of the House of Commons, in this most critical and important of all cases, to call for a full explanation of the causes of this discontent. I hope the right honourable Gentleman will state them all fully and authentically to this House at some future period. I think he ought to state, even now, what were the circumstances which have led to the misunderstanding between the fleet and the Admiralty after the first promise was made to the sailors. This he ought to do now, in order that we may know whether this vote, which is before us, is a complete or a partial compliance with the wishes of those who are the objects of it. To endeavour to pass it by in silence is silly. To expect

pect that secrecy can save you now, and to think that it may be smothered, is the weakest of all possible hopes, by which you will resemble children, who shut their eyes and think that nobody can see them. I therefore hope that this business will not be suffered to be passed by in silence. I will no more be answerable for any misrepresentations that may go abroad upon our discussion, than the Minister; but I know that much more misunderstanding is likely to follow silence than discussion. I therefore wish the matter to be discussed. I wish to know now, whether this is all that is intended to be done upon this business? By this species of blind confidence which the Minister is so ready to ask, and which this House is much too ready to grant, the constitution of this country may be undone. I know there are many who think that the inconvenience of popular assemblies are great, on account of the publicity of their proceedings, and hence has arisen great error in giving to Ministers confidence when they ask it. But our present Ministers seem to think, that the less they are called upon to explain, the more danger there is in their attempting it, and they call for confidence in exact proportion as the necessity of explanation is urgent.

The *Chancellor of the Exchequer* said, he thought that a silent vote upon this subject was the best, and therefore he took the liberty of recommending it. He thought so still, for he was not shaken in that opinion by any thing that was said by the right honourable Gentleman who spoke last; and it was singular enough, that that very person who called for so much information, declared he should vote for the resolution after he had heard the explanation that had been given; although he declared, at the same time, that he knew no more upon it than any other member in the House; a pretty convincing proof that what he had heard already was sufficient to satisfy him of the propriety of the present motion. This added to his opinion on the prudence of his not entering further upon this discussion.

Mr. Fox said, it was true he had said that he knew nothing more of the circumstances on which the resolution was grounded, than what the public newspapers contained. He was ready, even upon that knowledge, to vote for the resolution, though he should have assented to it with much more satisfaction if his vote could have been founded upon more full and regular information. He considered the information which the newspapers furnished, and the notoriety of the case, as sufficient to induce him to give his vote for the resolution.

lution. He knew that he was voting for an expence that was necessary, but without knowing whether that expence was all that was necessary, and whether it was likely to produce the effect desired. What he complained of chiefly in the conduct of the right honourable Gentleman was, that a fortnight had elapsed before the House was informed whether any promises had been made, and whether they were to be adhered to. If measures had been taken immediately to ascertain these points, the House would not now have been in the dark upon the subject; they would not have been at a loss to know whether the new disturbances, which rumour stated to have taken place, had arisen from the circumstance of the agreement not being confirmed, or that enough had not been conceded. Transactions like those that had recently occurred, certainly would have been highly important at every period, but in the present situation of the country they were of unequalled importance. If they called themselves the representatives of the people, if they really felt any love for their country, could they be satisfied that the accomplishment of the object for which the vote was to pass, was placed in hands worthy of so great a trust. Could they say that they had done what they ought to do for the security of their dearest interests and most essential concerns? Could they tell their constituents that they durst not enquire into circumstances so intimately connected with their safety and their existence? Could they satisfy their own minds, could they satisfy their constituents, by telling them they had trusted Ministers? And what Ministers too? Men who saw every hope which they had indulged disconcerted; every expectation they had formed disappointed: men, who, after all their assertions and all their boasts, were compelled to come down, and found new measures upon the failure of their plans and the disappointment of their views. And would it not be a pretty answer to give to their constituents, when they asked them what conduct they had pursued in circumstances so critical? to say, that they durst not venture to enquire into the circumstances by which the expence they voted was incurred; that they had trusted to Ministers, and to men who had shewn themselves so trust-worthy they had confided the safety of the country! If such was the opinion of the House, if such was the opinion of the country, as he trusted it was not, the difficulties of our situation must inevitably terminate in utter ruin.

Mr. *Sheridan* said, he certainly should vote for the resolution, but there was a question he should propose to the right honourable

honourable Gentleman, which might be answered without involving that discussion which he wished to avoid, or that mischief which he apprehended. In allusion to the new disturbances which were said to exist, the honourable Gentleman had said, that nothing was so likely to restore tranquillity as an immediate vote in favour of the resolution. But why then did not the right honourable Gentleman avail himself of the opportunity of submitting that vote sooner, when it might have prevented the disturbances it was to appease? Why was it that the vote was to be proposed when information was received that new disturbances had broken out? Why did he not take immediate steps in consequence of the promises which were made? Why, instead of the slow procrastinating mode that had been followed, had not the right honourable Gentleman come with a message from the Throne, recommending the House to take measures to carry into effect what had been done? He distinctly asked then, why a fortnight's delay had taken place before any steps were taken to carry into effect what had been done? How could they rely that even what they were to vote would be properly carried into effect? From the words of the Lords of Admiralty, that they had come to the resolution of acceding to the demands of the seamen, "that they might have as early as possible an opportunity of returning to their duty, as it may be necessary that the fleet should speedily put to sea to meet the enemy of the country," it was plain that they did not expect that the seamen were to return to their duty upon that promise, but that some other proceedings would immediately follow upon it. The first step then ought to have been a communication to the House, and such a vote as this passed with unanimity, would have perfectly satisfied them. He thought too highly of the character of British seamen, to imagine that this vote would not satisfy them, and if it did not, he should think more degradingly of them than he did at present. Misrepresentation might have induced them to do what they ought not to have done; but the right honourable Gentleman ought to have prevented the possibility of such misrepresentation. He was convinced, however, that means of conciliation would be more effectual if accompanied with a vote of censure on Ministers, for not coming to Parliament sooner with some proposition on the subject.

The *Chancellor of the Exchequer* said, that it was a mistake to imagine that the proposition had been brought forward in consequence

consequence of any new occurrences. He had given notice on Thursday, that estimates were to be presented, and that they were laid before the House on Friday, and this was the earliest day that could have been appointed for taking them into consideration.

Mr. *Sheridan* said, that he did not state that the resolution was now brought forward in consequence of recent occurrences. He charged the right honourable Gentleman with the delay that had taken place. He believed that misrepresentation might have taken place, but that misrepresentation ought to have been anticipated by some earlier proposition on the subject. He pressed the right honourable Gentleman to inform the House what motive, what reason, what pretence could exist for the delay of a fortnight which had intervened? He did not impute any responsibility to the Admiralty, as they had done all they could do.

Mr. *Fox* asked, if there was any man who would deny that, if the news of this vote having passed would be of advantage in the beginning of this week, whether it would not have been of equal importance in the beginning of last week, or the preceding one? How could this fortnight's delay be justified? He differed from his honourable friend with regard to the blame imputable to the Admiralty. Knowing and valuing as he did the private character of the First Lord of the Admiralty, he could not but wonder that a man with feelings like his could suffer a fortnight to pass without suggesting to his friends the necessity of haste. This motion could not originate in the other House, but he ought not to have remained in office a week if such a vote as this was not carried. Misconception might have existed, and to this, perhaps, were owing the new disturbances that had taken place. The right honourable Gentleman, indeed, had often the fortune to be misunderstood, owing to the perverseness of his audience, no doubt, but it was rather unlucky that this so often happened, though his audience was composed of men of all descriptions; but putting it on this ground, that any room was given for misunderstanding was a great misfortune to the country, and a great act of criminality in those who should have prevented it.

The resolution then passed *nem. con.*

The House being resumed, the report was immediately received, and agreed to *nem. con.*

The other orders of the day were then deferred.

Adjourned.

HOUSE OF LORDS.

TUESDAY, May 9.

EARL OF LAUDERDALE'S PETITION.

Mr. *Anstruther* was heard at the Bar as counsel for the Earl of Errol, against the Petition of the Earl of Lauderdale, relative to the late election of the Sixteen Peers of Scotland.

Mr. *Adam* is to be heard in reply on behalf of the Petition on Thursday next.

LOAN BILL.

On the motion for the second reading of the Bill for granting to his Majesty *fourteen millions five hundred thousand pounds*, by way of Loan,

The Earl of *Suffolk* begged leave to ask a question of the Noble Secretary of State (Lord Grenville) which was, whether any part of the money to be raised by this Bill, was intended to be sent to Ireland, and on what account?

Lord *Grenville* said, that certainly the sum of *one million five hundred thousand pounds* was intended for the service of the Sister Kingdom.

The Earl of *Suffolk* said, he thought the House ought well to consider the Subject before they gave their assent to so large a portion of the Public's money being sent out of the kingdom, at this time of unexampled distress and calamity, without having some explanation given them as to the purposes for which this money was to be applied. He was afraid, he said, that it was meant for the purposes of coercing the people of that country. If so it would be far better that it should never go. Nothing, in his opinion, could be more to be deprecated than a continuance of the measures which had been for some time past adopted in Ireland. He hoped, therefore, the Noble Secretary would inform him how this money was intended to be applied.

Lord *Grenville* said, that the question of the noble Earl had placed him in a very difficult situation. Indeed it was impossible for him to answer it. The money was to be sent to the Government of Ireland, for the purpose of defraying all expences which were necessary for the defence of that country against our enemies, and those who aided or abetted them. When the money once arrived in that country, it then became the province of the Irish Parliament to dispose of it in such manner as to them should seem best for the general interests and defence of the country against all its enemies. It was out of his power, therefore, to give any further answer on the subject.

The Earl of *Suffolk* said, that if he thought the money was intended to be used for the defence of that country, against her external enemies, no man would be readier, or vote for it more eagerly than he would. He was, however, very much afraid it was rather intended for the purposes of coercion of the people there, which was what he deprecated as one of the most unwise and impolitic systems that could possibly be pursued. No man who was at all acquainted with the situation of the two countries, could have a doubt upon his mind of the immense importance of Ireland to this kingdom. No man who had considered this great importance would deny, that Ireland was, in fact, the right arm of this country, and, if that was admitted, how dreadful must it be to contemplate the great danger there was, that from the mischievous measures which had lately been adopted in that country, the right arm was likely to be lopt off from the body. He thought, therefore, the House ought to interpose its influence to prevail on his Majesty's Ministers to adopt conciliating measures, in order to calm the minds of the unhappy people of that country, rather than vote away so large a sum of money, to be used for carrying on a system of coercion, from which he could not help dreading the most fatal and mischievous consequences, if they were madly persisted in.

Lord *Grenville* said, that Ministers in this country could not interfere in the measures adopted in Ireland, without the breach of a solemn compact.

Lord *Rawdon* (the Earl of *Moir*) said, that he believed his noble friend (Lord *Suffolk*) misconceived the nature of the advances which were meant to be made to the Sister Kingdom. He understood that a sum was to be raised in England for the service of Ireland, the interest of which was to be provided for by Ireland, and which was to be disposed of by the Government of that country. When Ireland was mentioned, however, he could not refrain from repeating what he had said on a former day respecting the fatal system of policy which Ministers were pursuing in regard to that country. From the languid manner in which their Lordships seemed to attend to what he said on that occasion, he concluded that they were of opinion that this country had no interest in the concerns of Ireland. As he was of a very different opinion, of an opinion so different, that he conceived the very existence of Great Britain to depend upon her connexion with Ireland, he again called upon their Lordships, seriously to consider the tendency of the measures which Ministers had adopted, and were still pursuing

fuings in that country. His Lordship said, that the argument made use of by the noble Secretary of State, both in answer to him on a former night, and to his noble Friend on the present occasion, "that his Majesty's Ministers could not interfere "with Ireland, without a breach of compact," was childish in the extreme, and much more mischievous than childish. He warned their Lordships, however, how they continued to give ear to such weak arguments. He begged them to consider the dreadful situation into which that country was plunged, and to interfere with their good offices, before it was too late to do any good. The time was short indeed, and nothing could effectually save the country but *lenient* measures; and those speedily adopted. If the present measures were persisted in; and if the same system was continued, they hazarded a dismemberment of the British Empire; whereas, had the measures of conciliation been adopted, which he proposed a short time ago, he firmly believed that things in that quarter would already have worn a much more promising aspect. He did not know whether it was not already too late, but if they persevered much longer in the same line of policy, he ventured to predict that Ireland, if not wrested from under the dominion of the British King, would be reduced to a situation in which it would be the cause to the English Government of continual distrust, suspicion and alarm. If the King's Ministers were so short sighted, so infatuated as not to give wholesome advice to his Majesty upon the subject, he intreated their Lordships not to be silent when they saw the most important interests of the country at stake, but to advise his Majesty to employ such conciliatory measures as might tend to attach his subjects in that part of his dominions to his person and Government. Had Ministers, instead of acting upon a system of coercion yielded to the demand, or rather might he have said, hearkened to the petitions of the Roman Catholics and Dissenters in that kingdom, they would at this moment have been prepared to parry the greatest dangers by which the country might be threatened, and instead of being under the necessity of sending money for the service of Ireland, they might have been deriving the most effectual means of national defence from that quarter. Whether it was now too late to alter the system of measures in that kingdom, he could not take upon himself to say, but if the same measures were pursued much longer, he was at no loss to deliver it as his opinion, that they would be attended with the most calamitous effects that this country had ever known. He entreated their Lordships seriously to reflect, that the question was not merely whether

Ireland was or was not to remain attached to the British Crown, but whether the Government of this country was to exist or to be annihilated? for he ventured to affirm, that if Ireland was wrested from under the dominion of his Majesty, the Government of Great-Britain would not survive for six months. Ireland, if ever it should be deprived of the protection of this country, must necessarily league itself with another state; and when we are deprived of this arm of strength, he begged to know whether we could make any effectual resistance to an enemy already too powerful, with this new accession of resource? It was not, therefore, the honour and credit of the English Crown which he called upon their Lordships to vindicate, it was for their acres that he entreated them to consult; for the church establishment, and the livings attached to it, which he invoked the reverend Prelates to defend. Under these impressions he now took the liberty of repeating what he had formerly urged, convinced as he was that he should have been deficient in the duty which he owed to his Sovereign and to his country had he neglected the opportunity which was afforded him by the mention of Ireland, of throwing out considerations which appeared to him to be of such importance in the present state of that unhappy and distracted country.

He begged them to recollect the dreadful consequences which had resulted from a similar system of coercion pursued against America. In the beginning of that fatal system we had begun by stigmatizing them as rebels, and had thence compelled them to be so. We had declared the Americans to be rebels; we had threatened to punish them as such. The Americans received the information with astonishment, as nothing had been farther from their thoughts than any idea of rebellion. Finding, however, that they were declared rebels, and to be treated as such, they began to be persuaded they were rebels, and the indignation which they felt, added to the dread of that punishment which they so little merited, drove them to that firm and compact bond of union which enabled them to beat us out of the country, and to complete their independence. The same dreadful and desperate game, his Lordship said, he was afraid was about to be played over again with respect to Ireland. He had once thought that so bitter a lesson as that which had been taught us by America, might have served as an useful monitor, but he was afraid he should find himself mistaken. He begged their Lordships, however, to reflect, that though this country had not felt all the fatal effects which had been imagined from the loss of America, that still the loss of Ireland would be attended with much more disastrous

astrous consequences, for Ireland must throw herself into the alliance, or under the protection of some other power near to this country.

Lord *Suffolk* said, he had come down for the purpose, not of bringing the state of Ireland into discussion, but of asking some very important questions upon a subject, perhaps still more alarming, to which, after the present motion was disposed of, he hoped that he should receive satisfactory answers from the noble Secretary of State.

Lord *Grenville* declared, that no warmth of declamation, or violence of language, should provoke him to swerve from that line of conduct which he had adopted on the subject in consequence of cool deliberation and mature reflection. Whether the arguments used by him, in answer to the proposition which the noble Lord had brought forward some time ago with regard to Ireland, were *childish* or not, he had left it to the House to determine. The House had determined on the question, and he was perfectly satisfied that the discussion into which the noble Lord (Rawdon) had entered on a former day, and which on this day he had thought proper to renew, could not be entertained without a breach of a most solemn compact, and a direct infringement of the rights of the independent Legislature of Ireland. And so far was he from thinking that the motion of the noble Lord, had it met the approbation of the House, would have been attended with good effects, that he was fully convinced it would have had a tendency directly opposite, and that the affairs of Ireland would have been in a much more alarming situation than they were at present.

The Duke of *Grafton* contended that the noble Secretary, professing as he did to believe that the motion of the noble Lord (Rawdon) would have been accompanied with bad effects, was bound to shew that the affairs of Ireland had been improved since its rejection by the measures upon which his Majesty's Ministers were now acting. It had unfortunately happened that all the assurances and expectations held out by the noble Secretary upon public affairs, had uniformly failed, and he was afraid that their conduct in respect to Ireland would add another instance to the long catalogue of ministerial disgraces and of public disappointments.

Lord *Grenville* professed a readiness at all times to meet any discussion which any noble Lord might think proper to bring forward respecting the conduct of his Majesty's Ministers, and expressed a conviction that it would never suffer from a comparison with the mode in which their measures had been opposed.

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The Duke of *Bedford* said, he rose to take notice of a single expression in the last speech but one of the noble Secretary of State. He had mentioned "the breach of a solemn compact." He did not understand what compact was meant, and wished for some information on that subject. Was the expression used in reference to any solemn compact which his Majesty's Ministers had entered into to send money to Ireland?

Lord *Grenville* in explanation said, that what he meant by "a breach of a solemn compact," was a breach of that compact by which this country solemnly pledged itself not to interfere with the independent Legislature of Ireland, and consequently not to enter into the discussion of matters connected with the internal regulations of that country.

The Duke of *Bedford* declared, that to his mind it appeared that the sending a large sum of money to Ireland under the sanction of the British Parliament, was just as much an interference with the immediate province of the Parliament of Ireland, as it would have been for the Parliament of this country to have exercised its influence with his Majesty to have interposed his good offices for restoring peace and tranquility to the minds of his Irish subjects.

Lord *Rawdon* (Earl of Moira) said, he considered the explanation of the noble Secretary as little better than a childish evasion. Was this a time, he would ask, under such a variety of circumstances the most serious and alarming that ever beset the country, to get rid of questions of the highest importance and of the greatest magnitude, under the pretence of forms? Forms, in many cases, he was ready to admit, ought strictly to be adhered to; but where the exigency was pressing, and delay or subterfuge might be productive of the most fatal consequences to the existence of the country, the best means of meeting the danger that threatened should alone be considered.

Lord *Grenville* replied, that the House had decided between the proposition of the noble Lord as it was formerly submitted to the House, and the mode which he had adopted of opposing it, and by that decision he was determined to abide.

The bill was then read a second time.

The third reading of the bill for erecting the Corporation of Surgeons into a College was postponed on the motion of the Duke of *Bedford* till Friday the 19th, with a view to give time for some Members of that Corporation to petition against it.

AUGMENTATION OF SEAMENS' PAY BILL.

In consequence of a message received from the House of Commons by Mr. Pybus, requesting their Lordships to sit a little longer, they waited till the bill was brought up for granting an additional allowance to the seamen on board his Majesty's fleet. The bill was read a first time without opposition. On the motion that it be read a second time,

Lord *Suffolk* said, he conceived this to be the stage of the bill on which it was proper for him to put the question to the noble Secretary of State, which he had come down for the purpose of asking with an anxiety bordering on distress. He wished, in the first place, to know why the bill now before the House was not brought in a fortnight ago, and what were the causes of the delay which had taken place and produced such fatal consequences. He would claim for himself the right to make further observations when he had heard the noble Secretary's answer.

Earl *Strange* (the Duke of Athol), thinking that incalculable mischief might be the consequence of any discussion taking place upon a subject of so great delicacy, rose for the purpose of deprecating such a discussion, and of expressing a wish that the bill should go through its several stages without any observations being made upon it. They had already experienced the fatal effects of the conversation which took place on a former evening having been misrepresented, and similar effects might happen again from a similar cause. He therefore entreated their Lordships to allow the bill to go as quickly as possible through its several stages, in the hope that, in consequence of it, the deluded seamen would return to their duty, and receive with gratitude this boon from their country.

Lord *Suffolk* asked, if misrepresentation was the cause of the recent calamities which they had to deplore, on which side that misrepresentation had originated? It was not on his side of the House, but on the other, and in consequence of the concealment, if not of the duplicity, of his Majesty's Ministers.

The Duke of *Athol* replied, that he did not allude to any misrepresentation which had taken place in that House, but to the misrepresentations of those who were either incapable of discerning the meaning of what passed, or who perverted it from an evil design.

Lord *Grenville* declared that there was no species of invective, however bitter, and no declamation, however irritating, which should provoke him to depart from the duty which he owed

owed to the public, by entering into a discussion which would highly injure the best interests of the country. He little expected to have heard of different sides of the House on that night; different sides of the House on such a question! On such an occasion it was the duty of their Lordships to act with unanimity, and to forget all questions of inferior moment; under a firm conviction that the present difficulties under which they laboured was entirely owing to a scandalous misrepresentation of what passed in that House on a former evening, he should not on the present evening give a second opportunity for the same cause, to produce, perhaps, still more calamitous effects. He should therefore sit down with an expression of thanks to the noble Earl (Strange) for the judicious and manly way in which he had expressed his sentiments upon the subject.

The Duke of Bedford said, he rose for the purpose not of introducing discussion upon the subject of the bill now before the House, but of resisting the doctrine that their Lordships were bound to sanction whatever his Majesty's Ministers thought proper to propose. He rose for the purpose, not of giving an opportunity for misrepresentation, but to give his Majesty's Ministers an opportunity of doing away misrepresentation; to give them an opportunity of amending their declaration, and of removing the misconceptions to which it had given rise. Discussion of the subject of the bill he thought improper, explanation he thought necessary. He was not surprised, however, that discussion and explanation were equally obnoxious to his Majesty's Ministers, for secrecy alone could screen their conduct from censure and their characters from infamy. When any light was thrown upon their actions, it served only to convict them of odious treachery or the most shameful incapacity. He should not now move for information upon the present subject, but he pledged himself to do it on a future day, when he had little doubt but Ministers would be found to merit the heaviest censure.

Lord Grenville said, that having been perfectly convinced that all discussion of the subject was improper, and having therefore expressly declared that nothing should induce him to enter into it, he did not at all wonder at the noble Duke's immediately seizing with eagerness on so favourable an opportunity of indulging himself in a strain of declamation and invective against his Majesty's Ministers. All that he should say in answer was, that if the noble Duke felt any triumph in the enjoyment of the advantage he had afforded him, it was a triumph which he did not in the smallest degree envy him.

Lord

Lord *Rawdon* said, that the question put by his noble Friend (Lord Suffolk) did not invite any discussion upon the subject of the bill now before the House; it was distinct, and set apart from the bill. His noble Friend did not object to the bill, he only wished to know the cause of the delay which had taken place in bringing it in. And in order to avoid giving any answer to this simple question, the noble Secretary availed himself, as an excuse, of a misapprehension of something, not which was said, but of something which was not said on a former day. The country would not take this as an excuse he was sure, and he hoped that neither would their Lordships sustain it. There was one consequence of a serious nature to be expected from the silence of the noble Secretary if it was persevered in, namely, that the delay would naturally be ascribed to official neglect, a circumstance which certainly would not tend much to conciliate the seamen, at least to those who administered his Majesty's Government. The explanation desired went only to one single point, and it was idle and childish to evade it, viz. why the measure now adopted was not taken with greater expedition?

Lord *Sydney* deprecated all discussion, and threatened, if it was proceeded in, to do what he never was in the habit of doing, or much inclined to do, viz. to move that the House should be cleared. He objected also to the discussion as it was now conducted, as being contrary to all Parliamentary forms, and as tending to encrease the delay so much complained of.

His Lordship complimented the Earl of Strange in strong and handsome language on the very proper and manly conduct he had adopted on the present critical occasion. With regard to the arguments of the noble Lord (Lord Rawdon), it was agreed on all hands that it was improper to enter into discussion of the subject then; and if it were true, as had been stated, that the question put by the noble Earl (Lord Suffolk) was a distinct question, separate from the subject of the bill, it could not properly be the subject of debate or discussion, when the general wish was to pass the bill with as little delay as possible.

The Duke of *Grafton* said, that he did not ask too much when he asked a concession from their Lordships that the present was one of the greatest calamities with which the country was ever afflicted, and that arose chiefly from procrastination. If then these positions were founded in rectitude, would any of his Majesty's Ministers be hardy enough to say that the country ought not to be informed of the causes of that procrastination? He was willing to draw a veil over all that had passed, but when they were putting off the definitive settlement of

business from day to day, did they recollect the promise of the First Lord of the Admiralty, and that his Majesty's Royal word was pledged that the measure should be carried into effect? Had he been First Lord of the Admiralty he would not have been an hour from the elbow of the Minister till he had got his promise carried into execution; and the Minister on his part ought to have recollected that his Majesty's most gracious order called upon him to take the speediest steps for giving it effect.

The Lord Chancellor left the wool sack and supplicated their Lordships to consider the nature and importance of the Bill. All the noble Lords who pressed for explanation, agreed in censuring the procrastination that had already taken place. He contended, therefore, that those who were for entering into discussion at the present moment partook in some degree of the criminality imputed to those who were said to be the authors of the delay. He appealed to the feelings of their Lordships to consider, whilst they were debating in that House what might might be at present the situation of the fleet; to consider that while they were entering upon topics which might be agitated at a future day, and putting questions which might as well be answered another time, the delay which was thereby occasioned to the passing of the bill, might be putting in peril the lives of the best and bravest men in the country. It was like stopping to enquire how a fire was kindled before they employed the engines to extinguish it. The discussion of the subject was unavoidable; he only asked a flag of truce for one night, and their Lordship's assent to the bill, that it might be passed, and sent off to Portsmouth immediately.

The Duke of Bedford declared he did not wish to protract the passing of the Bill, and begged only to ask the noble Secretary of State one question, it was one which, if fairly answered, would compleatly put an end to all discussion whatever. The question was, Whether his Majesty's Ministers intended, and were really endeavouring to carry into execution all the promises made by the Lords Commissioners of the Admiralty to the seamen?

Lord Grenville thought it necessary to deny, in the most express and positive terms, that he was in his official capacity, bound to answer any question that might be put to him, however unseasonably, by individuals. His Lordship felt that it was a doctrine which could not be too forcibly stated to the House, that his Majesty's Ministers and Parliament ought

ought both to be tried by their own acts, and not by any gross and shameful misrepresentations that were maliciously fabricated to pervert the public mind, and prejudice it against Government. It would be peculiarly hard if Ministers were to be tried on the ground of answers extorted from them by questions insidiously and irregularly put, and then carefully conveyed to the public. He said, that from answers extorted in that way, the grossest misrepresentations went abroad through those disorderly and unconstitutional channels, though acquiesced in, the public papers. They did not even pretend to give, with any degree of accuracy, what they heard in that House, and had no authority for reporting what they did hear. He believed that the inconsiderate discussion which had been brought forward by a noble Duke (the Duke of Bedford) on this subject a few nights ago, and the shameful misrepresentations which had been made respecting it, had been the cause of all the calamity which had happened since. The question which that noble Duke had just put to him, certainly went to raise still further doubts in the minds of the seamen. He believed there was no intention in it, but it could not fail of having that effect. He had no doubt, however, but the present bill would convince them of his Majesty's firm determination to fulfill all the gracious indulgences he had promised them; and he could not conceive how any one could suppose for a moment that Ministers did not intend to fulfill every title of promise and engagement which had been entered into by the Lords of the Admiralty.

The bill being read a second and third time, and agreed to *nemine dissente*,

The Duke of Bedford once more offered himself to the attention of their Lordships. His Grace declared, that in order to allow the bill which had just received their Lordship's assent, to pass without any further discussion, and that no unjust imputation might be made to his Lordship; of procrastinating what was on all sides admitted to be so immediately necessary to the dearest interests of the country, he had not, as he was legally entitled to do, made any reply to the charge brought forward against him by the noble Secretary. As therefore the important business submitted to the House was finally agreed to, he hoped their Lordships would indulge him with saying a few words on what dropped from the noble Secretary of State, respecting the charge made against him, and that indulgence he particularly relied upon, as he had waved his right of reply while the bill, which had been

disposed of, was still under consideration. He was very glad to find that the noble Lord had spoken out, and that he had been so pointedly charged by that noble Lord with being the author of the calamities alluded to, for he could at least have an opportunity of clearing himself in the most satisfactory manner from any imputations on that head. He had, indeed, heard it buzzed about by the dependents on Ministers, that he had been the cause of these calamities, but the charge was at length formally avowed by the noble Lord himself. He would therefore appeal to the candour of the House, whether he had not on the occasion alluded to, come forward and spoken with as much reserve and caution, as the delicacy of the subject could possibly admit? He would maintain, that in the proceeding censured by the noble Secretary, he had done nothing but what his duty in Parliament required of him. He had asked Ministers, if they intended to bring the subject before Parliament? and the answer which he received to that plain question, from one of his Majesty's Ministers was, that he had no plan to communicate to the House. [The Duke of Bedford was interrupted by Lord Sydney, who spoke to Order.]

Lord Sydney observed, that as the noble Duke alluded to the language of a noble Earl who was not present (Lord Spencer) and as he referred in his justification to what had passed in a former debate, he trusted the noble Duke would defer the subject till some future opportunity.

The Duke of Bedford proceeded, and allowed that it was not strictly in order to allude to a former debate, though in the course of this evening it had been done by the noble Secretary of State. He had not either expressly mentioned the words of the answer he had alluded to, though the noble Secretary had expressly mentioned them. He flattered himself, therefore, he had not been much wanting in point of order. He should make no scruple, however, in alluding to that speech if he thought it necessary in justification of his own character, though the first Lord of the Admiralty had not thought proper to attend in his place on the present occasion. He had no doubt but he could shew most clearly that it was to that noble Lord's answer, more than to any thing that fell from him, that a late calamity originated. And his Grace said, he thought the noble Secretary before he made such charges, ought to take care of making them on fair grounds. Why did he not boldly come forward with a charge against him? He was ready to meet such a charge, and to repel it any day.

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The Earl of *Suffolk* said he required Ministers to attend in their places. There could in his opinion, be no excuse for their absence at the present crisis for days; no, not even for hours. It appeared to him as an indication of their desire to shrink from their duty.

Lord *Grenville* felt himself called upon to notice the expressions which had fallen from the Noble Lord who had spoken last. He was for his own part perfectly satisfied; that no noble Lord could accuse him, even in the slightest respect, of shrinking from his duty. He begged leave to disclaim the idea intimated by the noble Earl, that Ministers were bound at all times to be present in their places in Parliament. He should not hesitate to say, that with regard to his own conduct, it was absolutely necessary for him to judge for himself of the time most proper for his attendance to his duty in that House, and his absence on other important duties. He also thought it requisite to state, that it was irregular for any individual member to require, in a peremptory tone, the attendance of Ministers, the usual and constitutional mode was to proceed by summoning the House.

The Duke of *Bedford* explained, and contended that the noble Secretary ought not to have brought forward a charge so very serious in its nature without clear and specific grounds. He should, however, take an early opportunity of submitting to the House some proposition of a serious nature on the imputation made against him.

The House having agreed to adjourn at pleasure, until his Majesty's commission could be issued for giving his royal assent to the bill, the commission was accordingly read at half an hour after eight o'clock, and the speaker and members of the House of Commons attending at the bar, the bill, with five other public and five private bills, received the royal assent.

The Lords Commissioners were, the Archbishop of Canterbury, the Lord Chancellor, the Duke of Portland; and the Earl of Liverpool.—Adjourned.

HOUSE OF COMMONS.

TUESDAY, May 9.

Sir *John Sinclair* brought up the two general Inclosure bills, which were read a first time, and ordered to be read a second time on Monday next.

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of the whole House, and was ordered to be read a third time
the next day.

The additional Stamp Tax bill was read a second time
and ordered to be committed on Thursday.

The Prize Ship bill was read a third time and passed with
various amendments.

The members were chosen by ballot to try the merits of
the Maidstone election.

Several petitions were presented against the ship prize
bill, from various shipwrights, carpenters, &c. and, upon the
third reading of the same bill.

Mr. Ryder moved a clause to leave out these words—
“in any part of Africa or the East-Indies.” This would
remove the objections of persons who thought their interests
were likely to be affected by having privileges granted to
ships built in India equal to those built in Great Britain.
This alteration was adopted, and the bill read a third time.

SEAMEN.

Mr. Whitbread said, that in consequence of what had passed
the preceding night, and considering the impression of mens'
minds relative to the disturbances at Portsmouth, he now
rose, not to enter into the causes of that affair, but to press
upon the Chancellor of the Exchequer a question, which
had been distinctly proposed to him by two of his honourable
Friends the preceding night, and to which no answer was made.
He begged, therefore, to ask, why the proposition, moved that
night, was not brought forward on an earlier day? Had this
been done, the disastrous consequences which had taken place
might have been prevented. Unless a satisfactory explanation
was given of a delay so fatal in its consequences, and
for which the right honourable Gentleman was responsible to
the House and to the country, it was his intention to move a
direct vote of censure against the Chancellor of the Exchequer,
for gross neglect of duty in not submitting the subject
sooner to the House.

The Chancellor of the Exchequer acknowledged, that he
certainly was responsible, provided there was any misconduct
imputable to any person on the occasion alluded to by
the honourable Gentleman. He would not however, at
present, enter into any discussion on a subject, concerning
which he would wish that as little as possible might be said.
But, whenever the honourable Gentleman should bring forward
his intended vote of censure, that would be the time
for

for him to state those things which he might think fit to submit to the justice and candour of the House. As to the question, Whether the recent proceedings in the fleet arose from Parliament not having sooner adopted that measure; which was on the former day brought forward in the Committee of Supply, he must observe, that there was not a step taken, which, consistently with the necessary forms and regulations, could have been adopted at more early periods than those on which they were brought forward. On the 26th of April, the petition of the seamen was referred to a Committee of the Lords of the Admiralty, who were to consider the same, and report their opinion upon it. Their report was made to the King in Council, and, as soon as it was approved of, immediate directions were given at the proper offices to prepare an estimate of the sum which the intended augmentation in the wages of the seamen would produce; and the moment that estimate was ready, it was laid before the House; and that resolution already alluded to, voted accordingly. The House would also recollect, that, in consequence of a question put to him by an honourable Gentleman, on the other side, he had distinctly stated, that a communication was to be made on the subject of an augmentation in the seamen's wages. Gentlemen must moreover recollect, that, on the day when he had brought forward the ways and means, he did expressly state to the Committee, that a further provision was to be made for naval services, over and above the sums voted on that day for the current expences of the year. From these circumstances, there was no ground to suppose, that it was not the intention of the Executive Government to propose such measures as might serve to satisfy the demands of the seamen in the fullest manner. These were the facts, therefore, which he had to state to the candour of the House. No time was lost in taking every necessary step, each of which had a regular train to go through. But it certainly was true, that measures had not been hurried on with that speed which would have been adopted, if there had existed the slightest suspicion that a delay would have caused any misconstruction with regard to the intentions of Government; and he assured the House, that no person could feel more regret than he should, if he thought that the delay was in any manner the cause of the events which lately took place in the fleet. This was all he had to say on the subject, until the honourable Gentleman should bring forward his motion.

Before

Before he sat down, he thought proper to inform the House, that, in consequence of the vote of yesterday, it was his intention to propose a bill, grounded on the report of the Committee, which bill, contrary to the usual forms, he should also propose to have carried through all its stages in the most expeditious manner. This he conceived to be the best way to remove all doubts as to the intention of the Executive Government; and he believed, in that case, that the House would think it was his wish to decline all discussion on the subject.

Mr. Fox said, that after the explanation which the right honourable Gentleman had just given, he could not help saying, that the delay complained of, was an intolerable and fatal neglect of duty. In his opinion, Ministers were guilty not only of judging that delay *after* the fact, but *before* the fact. The history of the transaction was, that in Easter week complaints had existed in the fleet, meetings of delegates had taken place, and various other circumstances happened. A letter was written from the Admiralty upon the subject of these complaints, which stamped upon them a character of incapacity the most flagrant; or want of talents for acting upon a great and difficult crisis, unexampled in the annals of any administration. This letter not having produced any effect, a second had been sent, with which the seamen were said to be satisfied, and on which they were to return to their duty. This transaction had taken place on Sunday morning, the 23d of April. Under all the circumstances with which this affair was accompanied he would submit to any impartial mind, whether this was an occasion for tardy forms and official delays? What was the duty of Ministers then upon this occasion? Was it not their duty, after they had recognized the delegates with whom they treated; after they had made a promise, to have lost no time in completing the transaction? Yet, in stating the rapidity with which he had acted in pursuance of the usual forms, it appeared that the first date of any step was the 26th of April, three days after the agreement had been made. Was not this a matter upon which the utmost dispatch ought to have been used? Delays till the opinion of Council was taken! Good God, after a pardon had been proclaimed for what had past, when the active part of the Council were the men who had agreed to the transaction to be considered, and who were bound to carry it into effect, could there be any doubt of the opinion of Council? was any delay necessary till it was

was pronounced? But even the Order of Council, to which these tedious steps and formal proceedings were to lead, appeared on the 3d of May, and five days elapsed before the subject was submitted to the House. Estimates, forsooth, were to be prepared! As if the Minister could not guess what was to be the nature of the Order of Council, and could not therefore give orders for estimates to be prepared! If this country be doomed to ruin, was ever country ruined by incapacity so gross, by misconduct so unparalleled? Was this a time to adhere to petty formalities, to procrastinate for the production of an estimate? The right honourable Gentleman said, he had it in contemplation to bring forward the subject; he had alluded to it in his speech upon the Budget. But how were the seamen to judge or to know his intentions; how were they to know that he was bound to bring forward the subject? Such was the elusory character of the right honourable Gentleman's language, that it was often difficult even for the House to know by what he was to be held, and to what extent he was bound. But consider the nature of the transaction, and the circumstances with which it was accompanied, and, let any man say it was necessary for the right honourable gentleman to suspend the business to give his clerks time to make out an estimate. But it might be said, why had not he himself, and those who thought with him, pressed the matter? He had indeed repeatedly urged the right honourable Gentleman; he was not sufficiently acquainted with the facts, and he expected every day it would be brought forward. He was ignorant how far the Admiralty had conceded, how far the delegates had given up any part of their demands; it was therefore impossible to move any thing upon the subject. He expected that not only estimates would have been produced, but that a full account of the transaction was to be communicated to the House; certainly he so understood the right honourable Gentleman, and many in the House understood him in the same way. The right honourable Gentleman had even mentioned the distance from Portsmouth as a cause of delay. If the affair related merely to money arrangements previously settled, the distance from Portsmouth could have nothing to do with the delay. If the whole transaction was to be submitted to the House, the distance from Portsmouth might have been some reason for delay. If every thing was adjusted when the Lords of the Admiralty left Portsmouth, and wanted only confirmation, the guilt of those who allowed such an

interval of delay to elapse, ought not to pass unpunished. After the fact, the right honourable Gentleman regrets its consequences; there were not many of his acts which, one time or other, the right honourable Gentleman would not have reason to repent. A conduct, however, to which was owing the loss of the innocent lives of men, whoever they were, who had fallen, whether high or low, men to whom the country was highly indebted, ought not to be passed over unnoticed by the House. Whatever were the feelings of regret experienced by the right honourable Gentleman for the delay that had taken place, he gave him credit for the feelings he professed to have; what man, indeed, could exist, conscious of the calamities which his conduct had occasioned, without feelings of regret? Yet that conduct, which was the cause of delays so fatal, ought not to pass without the marked disapprobation of the House. To oppose any measure which tended to expedite the final completion of the transaction, however, was by no means his intention.

Mr. *Whitbread* said, after the unsatisfactory explanation given by the Chancellor of the Exchequer, he should postpone the motion he intended to make no longer than till after the proposition now to be brought forward on the subject, was disposed of. The House, certainly was not fully attended on the present occasion, but if the important crisis in which the country was placed, did not enforce the attendance of members, nothing he had to say could. Recollecting too the immense sums which had often been voted away by as small a number of members as now appeared, he did not feel himself blameable in bringing forward his motion even on so short a notice.

Mr. *Sheridan* said, he was confident that not a doubt remained in the mind of any gentleman in the House of the shameful misconduct of his Majesty's Ministers. Nor had he any doubt but that they all felt regret at what had happened, and indignation at those who were the cause of it, as well as contempt for their incapacity. He should himself, if his honourable Friend had not given notice of it, have brought forward an immediate censure upon the King's Ministers for having delayed this measure; but that he wished that nothing should now stand in the way of passing the bill. The reason which the Minister offered as an apology for the delay that had taken place, was not to be endured under the circumstances of the time. The Minister now pretended to say, that he waited for an estimate of the expence which

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will attend this measure: Did he really believe that the public were to be so insulted? He could have brought this estimate down to the House at the very hour after the King's proclamation issued. He was ready enough to avoid all delay in granting the Imperial loan, nay, so anxious was he upon that measure, that he would not wait for three days, although it was notorious that intelligence was expected to arrive which would put that loan out of the question. He was ready enough, also, to use all due diligence to stop the payment of the Bank, and to cause the King to come to town at an unusual hour, and in the most extraordinary way, in order to issue the Order in Council for that purpose. But he saw nothing in this measure, upon which the very existence of the nation depended, that required haste. This was such shameful neglect, that he trusted the House would feel it, as he was sure the public felt it, with abhorrence. The Minister was absolutely without excuse for the delay that had taken place. He knew that the sailors were dissatisfied. He now came forward with his unavailing regret that any disturbances had happened. He pretended that they arose from misunderstanding. Could there be any wonder at that misunderstanding? Had the sailors not a promise from the Admiralty, and was not that promise afterwards treated with apparent indifference by the King's Ministers? Did they not delay the measure which could alone give it sanction? Had they, therefore, no reason for doubting the sincerity of the Minister? It was true, indeed, that in most cases, where money was to be called from the people, the Minister's promise was precisely the same thing as a vote of the House of Commons, at least there was reason for thinking so from former facts; but it was not wonderful that the sailors thought otherwise, for they judged more of what Parliament ought to be, than what it really was, by its modern practice; and therefore, unless the Minister had lost his very superior intellects, it was impossible for him not to foresee the consequences that followed. He could not but foresee, that when the order was given for the fleet to weigh anchor, that jealousy would remain among the sailors, and therefore he was, to all intents and purposes, answerable for the consequences that ensued.

With respect to the notice of his honourable Friend, he hoped he would not pursue it this day, because the Minister might complain of the want of candour in bringing such a matter forward on a sudden; for that there could be no reason, but there was no necessity for giving him the pretext;

and the more opportunity that was given to him to prepare himself the better, and he hoped he would prepare a much better defence than any he had hitherto urged. He ought, however, to give to the House some account of what he expected to be the feeling of the sailors when this measure should pass, in order that the House might have some satisfaction in what they were doing. Be the claims of the sailors what they may, what was now proposed to be granted to them was nothing more than justice. At the same time that he said this, he must not omit to state distinctly his decided disapprobation of the mode in which these demands were insisted upon. It was unfair and inconsistent with the brave, generous, and open character of British seamen; nor had he a doubt but there had been a foul interference with them, and means of the basest nature used to induce them to take the steps which they had taken. If men were oppressed, they ought to be relieved by their country. But however just their complaints were, they ought to complain in a regular way. If there were among them, as he believed there were, that advised the sailors to put their country into such peril as it stood in at this moment, for the mere purpose of having their objects carried, such men were the most base of traitors. He suspected there were persons of this description, and the evil was of the most alarming kind, when the enemy were actually preparing in the most formidable manner against us. He thought, that listening to the suggestions of such foes to this country would never have been the fault of the brave British seamen. The country were to look to the Ministers for the great cause of all this; and we were now in a situation in which common measures would not do, and therefore he should have to propose one of an uncommon kind. If he was told that by proposing it, he encroached on Executive Government; he should answer, that Executive Government had encroached upon the representative part already so much as to make his measure absolutely necessary. He thought that the sailors had a distrust in the promises of the Executive Government, and perhaps they might not have sufficient faith in the pledge of that House. They had evidently shewn they had no faith in those who had hitherto negotiated with them, if accounts were true, as he was afraid they were, for it appeared by them that when the town was lulled, yesterday, into a sanguine hope that the disturbances were over, and that the London had sailed down to St. Helen's, and that Admiral Colpoys was gone with her,

her, the delegates went on shore to view the dead bodies of those who fell in the scuffle. If this be true, as he feared it was, he would ask, what was to be done with the fleet? What measure was to be taken? Had any been taken to prevent future mischief? Any thing to prevent the most horrid of calamities? He believed none. This was a signal instance, and a fresh one, of the deplorable incapacity of the present Ministers in this critical conjuncture. By their criminal and murderous delay, had they brought on this dreadful evil. At their door all the blood that had been shed upon this occasion should be laid. And yet, after all this, the right honourable Gentleman came to the House, and asked for confidence, as if nothing was the matter. He gave no answer to any question put to him, but desired the House to pass the whole matter by in silence. He said, he really did not wish to give way to his feelings, and therefore he should endeavour to restrain himself. What would be the effect if the House followed the example set before them by the Minister? A fullen silence was to be observed. What would the inference be which the sailors would draw from this? Why that the Parliament had passed this measure unwillingly, because an advantage had been taken of it, and in which they were not sincere, and which they would therefore abandon as soon as they had an opportunity of doing so. He hoped, therefore, that it would be expressed as the general sentiments of the House, that they did give and grant this as the real right of the British navy; but if it was given in that fullen silent manner which the Minister proposed, it would not be giving to the sailors the security they desire. It was a curious thing to see the Minister, whose negligence brought on this evil, holding in his own hand the helm of the vessel, which, by his piloting, had been steering among the rocks, tell the sailors "hold your tongues, let not a word be spoken; I will bring you safe through all your dangers, and, as a proof that I will do so, I am the person who brought you into them." His own incapacity was the ground on which he called for future confidence. He thought, therefore, that if the other House was sitting, that the House of Commons ought to send it a message to desire their immediate concurrence to the appointment of a Committee, consisting of a small number of the members of each House. It could not be a question on which any party feelings could operate; on this question there could be but one feeling; he should therefore propose that a joint Committee be appointed, to have power

power to send for persons and papers, to sit from time to time, and to adjourn from place to place as occasion might require, and there could be no difficulty as to the spot where they ought to be, and that they should proceed without any adjournment above eight hours from time to time, and commence without delay. He felt that this was the only measure by which we could extricate ourselves from this horrid calamity.

Mr. *Whitbread* said, that he had no difficulty on his own account to bring his motion forward immediately after this measure was disposed of, but on the suggestion of his honourable Friend, he was content to postpone it until the next day.

The *Chancellor of the Exchequer* said, that the time in which the motion alluded to by the honourable Gentleman who spoke last, was brought forward, was to himself personally a matter of indifference, so that it did not interfere with the progress of the business which was now before the House. He was very little inclined to call for any intervention. But a question had been stated by another honourable Gentleman (Mr. *Sheridan*) which, if he understood it, was not only more important than any question could be which related to himself, but more important even than that which was now before the House. He would not tell the House, whether he intended to move it that night. He knew not what he was to understand by a motion for a Joint Committee of the two Houses of Parliament, except it was to supercede entirely all the functions of the Executive Government of this country. Thus a moment of alarm and apprehension was to be seized to carry a measure that would change the fundamental form of our Constitution. The honourable Gentleman had not told the House when he would move it; when he did, he hoped he would explain what he meant by it; but it appeared to him to be nothing less than a Committee that was to supercede, not the power of those who are at present his Majesty's advisers, but the whole function of the Executive Government of this country, and to supercede the functions even of Parliament, and the general Law of the Land. On such a question, what would be the decision of the House, he would not suffer himself to doubt. He should now move, "That this message be sent to the Lords, that their Lordships be desired to sit for some time longer."

Mr. *Fox* said he was glad his honourable Friend had postponed his motion for the reasons already assigned. He had no difficulty, however, in saying now that he should support that motion whenever it was made. He confessed that it appeared to him to be extraordinary, that any Member of Executive Government should talk as the right honourable Gentleman
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had done that night. He knew the duty and the functions of Executive Government. He knew that it ought, ordinarily speaking, to be supported in its functions by the two Houses of Parliament. But its Members had betrayed the trust reposed in them, either by their crimes or their incapacity. When he knew that they were so weak and inefficient that they had not the controul and command of the army and navy.—

Mr. *Baker* called to order. He thought that nothing could be more out of order nor more dangerous than what he had just heard. To say that the Army was not under the controul of the Executive Government was inconsistent with the fact. Whatever was the state of the Navy, about which there were doubts as to the accounts, the Army was hitherto obedient; he did not know what such language as this might excite in the Army; for his part he thought what he had just heard disorderly, as well as dangerous, and upon that account he called to order.

Mr. *Fox*—He stated Executive Government as being deficient in their power over the Army and Navy, by which he did not mean to say that they had not controul over the Army alone, but they had not the controul and command over both Army and Navy. Now then he would say that they have the controul and command of the Navy; and then he would say that the House of Commons must be insane if it did not interpose to supply the weakness of such an Executive Government. He was not deterred from the performance of his duty upon a suggestion that they were to preserve the rules of order in their debates. They were to take care of the public safety—consistently with forms no doubt, provided forms did not interfere with the substance, but to take care of the public safety at all events; that could not be taken care of unless the House of Commons controuled the present Executive Government. The Minister said, that the motion of which his honourable Friend had given notice, would supercede the Executive Government. He would answer, that if that Executive Government, exercising all the functions and prerogatives which have hitherto belonged to it, are found inadequate to its duty; if Ministers had betrayed their trust, or had given proofs of their incapacity to perform their office with safety to the state, it was the duty of the House of Commons to supply the deficiency. If they were Ministers of a character the reverse of what they are, the House ought to interfere in the present critical situation of affairs. The present Ministers were not fit to remain in power in any view of the subject, for it was manifest that they had no authority over the Navy. Something, therefore, must immediately

immediately be done, and he knew of no better measure than that which was proposed by his honourable Friend. The right honourable Gentleman seemed to be alarmed, because it was proposed that the Committee should have power to go to the spot where the great complaint is; now he should have no difficulty in assenting to the giving to them that, and much more power, and even to the passing an act of Parliament for that purpose. If there was a doubt about the best mode that could be adopted in this critical time, there was none about the worst; the worst was to continue the present Ministers, and to confide in them; Ministers whose incapacity had brought on our present evils; Ministers who had run the risk of ruining the nation at a single blow; who had deceived the House of Commons; who had deceived the public; who had even deceived themselves upon every subject, upon every occasion that had been presented to them; to be partial to such men (partial indeed!) who had betrayed us in our only hope, was insanity itself.

The question being put,

Mr. *Sheridan* said, he had given notice that he should move for a Committee. The Minister had chosen to misunderstand his meaning, for he had said that he should propose that they should have power to send for persons and papers, and to adjourn from time to time, and from place to place, and to go to the spot. Did the Minister mean to say that it would be improper for such a Committee to correspond with the sailors? Had not Executive Government corresponded with them already? Were not the sailors, to say no worse, in a state of insubordination at this moment? Would he say there was danger in inquiring into our situation? He knew not what the Minister would say; he regretted to learn that the Minister was to oppose his motion, but he should at all events make it.

Mr. *Baker* said, that when he called to order he regretted that the words complained of had not been taken down. Two propositions had been stated; both of them, in his opinion, extraordinary, perhaps necessary. He gave no opinion upon either. The Gentlemen who brought them forward would, he had no doubt, abandon them for the present. The present situation of the country required that the House should proceed with great energy, but he thought that judgment was better than warmth for that purpose. He regretted exceedingly the warmth to which he had been witness that day. He thought that the House ought not to believe too hastily every thing that was said of the disturbances of the fleet. He had seen letters which gave accounts of that matter very different from some reports

reports that were in circulation. He conceived there was no evidence to satisfy the House of the expediency of very extraordinary measures, such as had been proposed.

The question was then put for a message to the Lords to desire them to continue sitting for some time, upon the suggestion of the Speaker, and passed.

Mr. *Sheridan*, in reply to what had fallen from Mr. Baker with respect to his begging the question, said, that the authority he had gone upon was the statement of the Minister, who acknowledged that the recent mutiny in the fleet was occasioned by the delay already mentioned.

The *Chancellor of the Exchequer* wished the House might recollect his statement, which, so far from being what the honourable Gentleman asserted, was, that he felt great reason to regret not having adopted speedier measures, if the delay was the cause of the recent events in the fleet. He should then offer to the House the bill in question. After having brought up the order of Counsel relative to the seamen, he moved that it be an instruction to the Gentlemen appointed to prepare and bring in the bill, that they should make provision in it for allowing the full amount of wages to all petty officers and seamen who should be wounded in any engagement, which wages were to be continued to them until they should either be cured of their wounds, or provided for in another manner. This motion was put and carried.

Mr. *Pybus* returned from the Lords, and reported that their Lordships had complied with the request of that House, and would sit for a longer time.

The *Chancellor of the Exchequer* then brought up the bill for granting greater pay and allowance to seamen serving in his Majesty's navy, which was read a first time, and immediately after went through all its several stages; and having passed the House, was sent up to the Lords for their concurrence. In about an hour after a Message came down from the Lords informing the House that their Lordships had agreed to the bill without any amendment, together with several other bills. and in some time after another message came, requiring the attendance of the House in the House of Lords, to hear the Royal assent given to the same by commission. Upon the return of the Speaker the House was informed of the bill being passed into a law, and immediately after adjourned.

HOUSE OF LORDS.

WEDNESDAY, May 10.

The Duke of Gordon was sworn and took his seat.

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The farther proceedings relative to the subject of the Earl of *Lauderdale's* petition were fixed for Tuesday next.

The various bills upon the table were forwarded in their respective stages. Among these was *Macaulay's* Divorce bill, which went through a Committee of the whole House, and was ordered to be reported the next day.

Six private bills were brought up from the House of Commons, and read a first time.—Adjourned till next day.

HOUSE OF COMMONS.

WEDNESDAY, May 10.

Mr. *Hobart* brought up the report of the Committee appointed to try the merits of the election for the borough of *Malmesbury*, by the decision of which the sitting Member is declared to be duly elected, and the petition against the election to be neither frivolous nor vexatious.

The Scotch Note bill was read a third time, and passed.

The Debtors Relief bill was read a second time, and committed for the next day.

The House, in a Committee of Ways and Means, came to several resolutions, which were ordered to be reported the next day.

MUTINY ON BOARD THE FLEET.

Mr. *Yorke* finding the House now to be pretty full, and the usual hour of beginning public business approaching, rose for the purpose of conjuring the honourable Gentleman opposite to him to postpone the discussion of the transactions which had lately taken place on board the fleet. The motion of which an honourable Gentleman (Mr. Whitbread) had given notice the preceding day, could lose nothing of its weight by being delayed for some time, and the country had already suffered so much from untimely discussion, that he thought the House would be extremely cautious how they entertained a debate upon topics so delicate in their nature and critical in their consequences. The country he pronounced to be in danger, and he called upon the House to endeavour to save it. In the present critical moment, therefore, he again conjured the honourable Gentleman (Mr. Whitbread) to put off his motion till a future day, since by bringing it on he could do no good, and might do much harm.

Mr. *Whitbread* said, in proportion as the crisis is awful beyond example, and the calamities with which the country is threatened are alarming to an unheard-of extent, it is impossible for me not to feel on the present occasion an uncommon degree of pain and embarrassment. Before the solemn appeal
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and adjuration which the honourable Gentleman, for whom personally I have a great respect, addressed to this side of the House, and in particular to me, I experienced these sensations, and they must now be considerably increased when I find it impossible, consistently with the duty I owe to my country, not to proceed in bringing on the motion of which I have given notice, in deference to him or any class of men with whom I may differ in opinion. It is delay and procrastination which has brought us into the dreadful and calamitous situation in which we are now unfortunately placed, and there is nothing which I regret more than not having moved a vote of censure upon the Minister on that day on which the estimates were taken into consideration, for his extreme and culpable negligence in not having carried the measures proposed into effect with greater celerity. I regret, I say, that on that day a vote of censure was not passed upon his conduct, which might have accompanied the other vote to Portsmouth, for the purpose of convincing the seamen that the House of Commons had not been a party in that delay to which all the subsequent calamities are to be attributed. That they have arisen solely from that cause is a proposition which I think I shall be able to substantiate from authentic documents, and if I am able to make good this proposition, if the House of Commons do not pass a vote of censure upon the author of that delay, we shall as grossly neglect our duty as he has neglected his. I know there are those, perhaps a majority of this House, who differ with me respecting the origin of the recent insubordination of the fleet, and who will be ready to attribute any future mischief which may ensue, which God avert! to the discussion which I am now bringing before the House; but however high I may wish to stand in these Gentlemen's opinions, I have a still stronger desire to stand high in my own. From what my duty, therefore, calls me to encounter, I shall not be deterred by the fear of any animadversion which may be passed upon my conduct.

Having said this much by way of preface and apology, I proceed to a summary investigation of the ground of debate, in which I think I shall have no difficulty in being able to prove, to the satisfaction of the House, that the first Minister of the Country has been highly criminal in suffering the delay which took place between the concessions which were made by the Lords of the Admiralty to the seamen, and the ratification of these concessions by Parliament; and in this view of the subject the House will naturally perceive that the motion which I have to propose to them, is nothing less

than a direct censure upon that right honourable Gentleman. If I am asked, upon what grounds I ascribe the mischiefs which have arisen from this delay? I refer the House to the speech of the Honourable Gentleman (Mr. Pitt); in which, unsatisfactory as it was, he admitted that the delay had been an unfortunate circumstance, and that, had he foreseen the events which have happened, he might have acted with greater dispatch and expedition. Was it not an express article of the compact formed between the Lords of the Admiralty and the seamen that the conditions upon which they stipulated were to be ratified by Parliament? Was it not promised by the Lords of the Admiralty, that they should recommend the concessions which they had made, as far as they had power to make them, to Parliament for its sanction? In consequence of the stipulation, and this promise, what were the seamen naturally led to expect? certainly that an immediate message would be sent by his Majesty to his two Houses of Parliament, recommending the subject to their consideration. But was any message sent? No. nor has there been one to this day. This would have been the natural mode, one would have thought, that Ministers would have adopted to carry the measures for which they were pledged into effect. But let us see how they actually did proceed. From the public papers, which of course are authentic, I find that the ratification of the articles of their stipulation with the Lords of the Admiralty by Parliament was required by the seamen before they were ordered to go to sea. This stipulation was concluded on the 23d of April. On the 26th it was laid before the Privy Council, and was not ratified by his Majesty till the 3d of May. And not even then a message was brought down to Parliament, the estimate being delayed to be laid before them till Thursday last. It was not indeed laid before them even then, but there being no House on Thursday, he gave him credit for having them ready on that day, if the House had transacted business. If this then was the case, was it not the least thing which that Minister could do, that Minister who by his unaccountable and criminal negligence had brought those numerous and aggravated calamities upon the country which every man so much deplored, and which might be attended with consequences still more fatal than any one was aware; ought he not to acknowledge his error, and to beg pardon of the House and country; and ought not the House of Commons, whose business it was to watch over the conduct

duct of Ministers, and to provide for the safety of the Empire, to impose a censure upon him, who by his gross incapacity had brought the state into this strange and unprecedented dilemma? The honourable Gentleman pleaded in his excuse, that it required some time to make out the estimates. But did it require all the time which elapsed from the 23d of April to the 4th of May, to make out these estimates? If the honourable Gentleman were one of those scrupulous plodding statesmen who never deviated from the rules of office, or the forms of the constitution, such an excuse might be entertained; but for the honourable Gentleman, for him who trampled upon all forms, set aside established customs, and infringed every rule both of official and constitutional usage; for him to set up such an excuse is contemptible in the extreme. The House cannot have forgotten the dispatch exercised by the honourable Gentleman in carrying through measures when their object was to infringe upon the liberties of the people. If they have, allow me to remind them of the celerity with which the bill for the suspension of the Habeas Corpus act passed through the House on an occasion when he had conjured up an idle alarm for the purpose of depriving the people of their freedom; but when a mutiny is on board the fleet, when our last resource is at stake, and every thing most valuable to the country in danger, the routine of office must be observed, and delay must be persisted in till we are brought upon the verge of immediate destruction, without one step being taken to prevent the impending blow. I have stated that the seamen stipulated for a Parliamentary ratification of the concessions made to them by the Lords of the Admiralty; this ratification being delayed, and mischief ensuing, I am entitled to presume that the mischief was the consequence of the delay. I know that it has been attributed to a different cause; that it is said to have arisen from misrepresentation of what passed in another place (the House of Peers); but even supposing that this was the real and the sole cause of the calamities by which we have been afflicted, would not that misrepresentation have been prevented by an earlier communication, upon the subject to Parliament. This account of the matter is only varying the light in which it is viewed; the source of the evil remains the same. I am happy to be informed by the news of this day, that in consequence of intelligence reaching Portsmouth of the vote which has been passed by this House, matters immediately assumed

assumed a more favourable aspect, and that, though the intelligence was prevented by the unfavourable state of the weather, from being known through the whole of the fleet, the crews of those ships who were made acquainted with it immediately returned to their duty. If it required any additional proof, this is another circumstance which I am entitled to claim in aid of my position, that the whole of the mischief has proceeded from the delay of his Majesty's Ministers in carrying their promises into execution. For, if the effect produced by the resolution of the House of Commons, is to restore tranquillity, what could be the cause of the mutiny, but the disappointment arising from that resolution not being passed at an earlier period? Indeed, the proofs are so clear, and the circumstances which I have enumerated, so conclusive, that I find it quite unnecessary to add any thing further upon the subject. An enquiry into the origin and whole course of the transactions must be instituted at a future period, and I trust, that if it shall be found that any part of them were owing to the misconduct of any member or members of the present Administration, that they will be brought to that condign punishment which they so justly deserve. I may, perhaps, be taxed with warmth, and it may be that I have been excited to a greater degree of heat than was becoming in one preferring an accusation, but I cannot help feeling some degree of indignation, when I find, to all the other instances of wretched incapacity, of wasteful profusion, and of a dereliction of every honourable and worthy principle, by which their administration has been marked, they have added this new calamity of magnitude unascertained, and consequences incalculable. I shall conclude with moving the following resolution:—

“ That the right honourable William Pitt, in having so long delayed to present the estimate of the sum necessary for defraying the expences of an increase of pay, and also of the proposed issue of a full allowance of provisions to the seamen and marines of his Majesty's Navy, has been guilty of a gross breach of duty, and deserves the censure of this House.”

Mr. Fox seconded the motion.

The *Chancellor of the Exchequer* said, he felt some degree of difficulty in taking notice of the honourable Gentleman's motion. He did not, for his part, desire that any degree of blame might be transferred from him to any other person, if blame was at all imputable; but he thought it necessary to state to the House, that it had been no part of his official duty either to present any estimates to the House at all, to
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prepare any estimates, or to give directions for them to be made out. There was no part of all the financial departments in which the honourable Gentleman could succeed so little in any charge he might bring forward against him, as in the motion he had just made; nor any one of them which could so little apply to him. The whole of the estimate was directed to be made out by the order of Council, and to be presented to the House. The several stages through which this business must have gone, took up considerable time. For these reasons he was afraid that there was an inaccuracy in the honourable Gentleman's motion, as particularly applied to him; but at the same time he wished it to be understood, that on the general question, as far as related to the country at large, he laid no claim to any excuse in consequence of his having had no share in those transactions which he stated. As to the facts connected with the present question, he, on a former day, had stated to the House all that appeared to him to be material; and the question before the House was, whether there were grounds to believe that Government ought to have been possessed of the opinion, that unless they had used considerable dispatch, those consequences which since had happened would have been produced? And, in such a state of the question, he would ask, whether there were sufficient grounds to induce the House to pass a vote of censure against him for not thinking that the delay would have caused those effects? The real state of the fact was this: On the 24th, and not on the 23d of April, accounts arrived in town that the seamen of the fleet had all returned to their duty. On the 26th, a memorial was presented to his Majesty in Council, which was referred to a Committee, whose report on the same was approved of by the Council on the next day, it being that day when the Council ordinarily met. On Thursday last he had given notice to the House that the estimate would be presented on the following day, which was prevented from being done until Monday. At the time then when the estimate was presented, and at all the periods of intermediate explanation, there was incontestible evidence of its having been the uniform intention of his Majesty's Ministers to complete the engagements that had been made to the seamen of the fleet; nor was there the slightest ground for supposing that there was any insincerity on their part. He would further add, that none of the unhappy circumstances alluded to had taken place at the time that Ministers had so manifested their instructions. [*A cry of*

It had been argued, that delay alone was the cause of these events ; but he thought it would be fair to observe, that they must have been also in a great degree produced by the misrepresentations of discussions that had taken place in another House, which it was not consistent with the orders of Parliament for him to name. If those discussions had not been provoked in that place by persons who generally opposed his Majesty's government, there would have been no misrepresentations of the tendency of those declarations which had been made by persons high in office : there would have remained no doubt but that at the moment, and at the very hour when those discussions took place in another House, the final Order in Council would have been referred to a Committee of the House of Commons, and an estimate made out, without any relation whatever to the causes which had produced the late events. But, unfortunately, an accident had prevented that from taking place on the Thursday already alluded to ; and at the same time, an industrious and studied misrepresentation had gone abroad. As to the sincerity of the intention of his Majesty's Government, he could scarcely condescend to make a reply to those who should express a doubt about it. The greatest enemies of Government could not for a moment suppose that any voluntary delay had taken place on the part of Ministers. Must not their own interest, as well as their duty, oblige them to be as expeditious as possible in carrying into effect the demands of the seamen ? From the first moment that intelligence had been received of the transactions on board the fleet, and that the Board of Admiralty had recommended it to his Majesty to adopt regulations on the subject, Government was all along carefully and earnestly employed in the means of carrying them into execution. With regard to the present situation of the fleet, as far as the latest intelligence he had received would permit him to judge, he could say, that he entertained the greatest hopes of the seamen having a disposition to return to their duty, in consequence of the effects already produced by the signification to them of the proceedings that had taken place in that House. But, from the shortness of time, and the difficulty of communication to the different ships, owing to the badness of the weather, he had not the means of obtaining the fullest information on the subject, and therefore he could not state the grounds of his expectations with that degree of confidence which he could wish. He had, however, sufficient ground for hope, and a strong dawn thereof,

thereof, that tranquillity and order was effectually restored. Upon the whole, he trusted, there was sufficient reason to induce the House to avoid any discussions on the present subject, in which the dearest interests of the public were involved; and that they would be convinced that Ministers had done every thing in their power on the occasion in question.

Mr. *Whitbread* said, that, in consequence of an objection having been made to the form of his motion, he would beg leave to amend it, and, instead of "the right honourable William Pitt," he would insert his Majesty's Ministers."

The *Chancellor of the Exchequer* hoped the House would not suppose that he had wished to wave any thing that might be personal against himself. His objection to the motion only went to its irregularity. But he would ask, whether it could be more regular to state in a lump his Majesty's Ministers? As to any thing that affected himself, he was perfectly indifferent.

Mr. *Whitbread* said, he certainly did direct his censure against the right honourable Gentleman alone, and would therefore point his accusation against him.

The *Speaker* suggested the propriety of the right honourable Gentleman's withdrawing himself from the House while the motion was read from the chair.

Upon which Mr. Pitt immediately left the House.

Mr. *Fox* proposed to add to the motion, the words—"or causing to be presented,"—which were adopted. And then the amended motion was read from the chair as follows,

"That his Majesty's Ministers having so long delayed presenting, or causing to be presented to this House an estimate of the sum necessary to defray the expence for the increase of pay of seamen and marines of his Majesty's fleet, and for the proposed issue of full allowance of provisions, have been guilty of a gross neglect of their duty, and deserve the censure of this House."

After this Mr. Pitt returned to the House.

Mr. *Rose*, junior, said, that in the few observations he had to offer to the House on the motion proposed by the honourable Gentleman, he was free to declare, that he was biassed by no view whatever to screen a man, or any set of men, from that just censure, which, upon mature investigation, they might be found to deserve. He could not, however, too earnestly deprecate all hasty and intemperate discussion; and it appeared evident to him, that if the motion was deferred to some future opportunity, it might then

be brought forward before the House with more weight and importance, as it would, by that delay, be freed from the passion and warmth which, in the present situation of affairs, might be introduced during the consideration of it. A decision arising from temperance and coolness would, in his opinion, produce the greatest benefit; while a contrary conduct might lead the country to entertain an idea, that Gentlemen only wished for objects of mutual crimination and reproach. If, therefore, the honourable Gentleman agreed to defer his motion for ten days or a fortnight, it would unquestionably come before the House in a more conciliating and satisfactory manner. For he might in that case say, "I have forborne discussion at the moment of haste and intemperance, and now I invoke the House to decide on the criminality of the Minister, in a cool and dispassionate manner." Could Gentlemen for a moment suppose, that the exasperation which would naturally arise from the premature discussion of the question, would enable them to obtain a greater vigour in the pursuit of their object? He should also beg to observe, that if he were even persuaded of the criminality stated in the motion, he could not, though on that ground, impress too forcibly on the honourable Gentleman the necessity of postponing the consideration of the subject. He thought it not inapplicable to remind the House of the conduct of the Romans after the battle of Cannæ, who, instead of expressing their despair at so melancholy a reverse of fortune, unanimously concurred in thanking their Consul, Terentius Varro, for not despairing of the safety of the Republic. The conduct of the Carthaginians would have been very different, and, instead of giving vigour to the public spirit, they would have punished their unfortunate General in the severest manner, and have exclaimed,

"Nihil supplicii recusandum foret."

He wished the House to pause before they entertained a motion of this nature, under the present circumstances of the country. He did not presume to blame Gentlemen for their warmth, but he suggested to them the propriety of governing their temper. He had nothing further to say, except that he trusted that some man of experience and abilities would come forward and move that the present question be deferred.

Mr. *Martin* said, there were many Gentlemen in the House who would bear testimony for him, that he had no party motives to bias his judgment. He believed also that he was not suspected of being partial to Ministers. But whatever he might think of them in general, he did not see how he could assent
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to the present motion. There was no man in that House or out of it who lamented what had happened with respect to the Fleet more than he did; but he did not see any reason why Ministers should be censured by that House on this occasion. They might have acted wrongly, but there was no evidence of their having done so intentionally, and therefore he could not vote for a censure on them. It was their interest to have acted rightly, and he trusted they intended to do so. These were strong reasons with him in forming his opinion upon this subject. It was, however, liable to alteration, if he saw any reason for altering it. The Minister was reminded of the danger which had since appeared to have been carried into action. He was asked by Gentlemen on that side of the House when he intended to bring the matter forward, but he did not recollect that any gentleman suggested to him there would be any very imminent danger from delay. These were his reasons for being at present of opinion that he ought not to vote for the present motion. It was an opinion which had nothing to do with party prejudices. He trusted he should never act so as to deserve to be accused of having a party spirit.

Sir *William Geary* said, he perfectly agreed in the sentiments expressed by both the honourable Gentlemen who had spoken last in the debate. He opposed the motion directly, on the principle, that it ought to have been brought forward on clear and specific grounds of criminality. In another point of view, it was highly objectionable, as the object of it was directed against a right honourable Gentleman, though, according to the admission of the honourable Mover himself, it might equally apply to any other of his Majesty's Ministers. He therefore particularly wished that the honourable Gentleman would consent to postpone it. He concluded by observing, that as to the ratification of Parliament having been insisted on as one of the express conditions between the Lords of the Admiralty and the Seamen, he positively denied that statement to be founded in fact; for it could not be contested, that the fleet had dropped down to St. Helen's for the purpose of proceeding to sea, though no such ratification had taken place.

Mr. *York* confessed that, much as he had desired that the present subject should be postponed, yet, now that he had heard it and the arguments which had been urged in its support, he saw no reason for postponing the decision upon it. The motion, after having undergone so many amendments, that he could not enumerate them, but which would appear on the Journals, was a decisive proof, that the mind of the honourable Gentleman himself was not convinced upon the subject. He

was rather, on the contrary, convinced of the fallacy of the charge, or he could not have had so much difficulty in naming it. Gentlemen on the other side would have done well to have considered a little more of their subject before they brought it forward. The honourable Gentleman had not given any proof that ought to induce the House to agree to his motion. They laid blame on Ministers from the event that had happened. Was that a candid mode of proceeding? That event might have happened from a combination of circumstances; and could any man fairly say that the conduct of Ministers was the cause of it? He looked upon it as an event which was produced by a number of circumstances put together, and that there was no evidence, before the House that the conduct of Ministers produced it. He lamented the warmth of a right honourable Gentleman (Mr. Fox) who had spoken upon this matter on a former occasion, in a manner that he should never forget. Even that right honourable Gentleman said nothing at first of the necessity of an act of Parliament, nor did he express any apprehension of a fresh mutiny; there was no appearance of it; so far from that, when his Majesty's gracious pardon went down on the 28th of April, the fleet under the command of Lord Bridport, wanted to sail, and if the wind had been easterly, they would at this moment have been blocking up the harbour of Brest. The accidents of misrepresentation had produced dangerous and alarming consequences, but from all that had happened, there was no evidence of any criminality in Ministers.

Mr. Fox spoke to the following effect:

I never in my life was more convinced of the propriety of a motion than I am of that which is now before you, and of the expediency of passing it now I am as well convinced. The censure of the learned Gentleman who spoke last against the motion of my honourable friend is most curious. I thought he was scholar enough to know, that in common structure of grammar, the singular and plural number must be differently expressed, and that is the cause of the variety of alterations which he says have been introduced into the motion, it being at first a motion against one individual, viz. the Minister, and afterwards altered by taking in his Majesty's Ministers, who are a number of individuals, and this is all the field on which the learned Gentleman made his ingenious observations as to what will appear upon your Journals. The Chancellor of the Exchequer was the person who appeared to my honourable friend to be chiefly guilty,

guilty, and therefore, the motion was made against him, but upon consideration that there were no documents to prove that the guilt attached exclusively to him, the motion was amended, and the censure is proposed to be voted against his Majesty's Ministers at large as being concerned in the delay of which my honourable friend complains, and in which I join him, as having been the cause of the disasters which have happened to the fleet. With regard to the propriety of this, I wish those who oppose it would state as specifically the mischief which it will do: hitherto they have only talked of that mischief in general terms. I say generally also, that public discussion is the best security for public welfare, and the best security for the safety of every good Government. That energy which is to be had from secrecy which some persons are so fond of, stands upon the authority of but a few, and they have neither been the wisest nor the best, but they are those who, from age to age, have endeavoured to enslave mankind, and they have been controverted by the wisest and the best in all ages, as appears by the best histories of this world. I say this generally. But to come to the immediate subject which is now before us, and to apply those general principles to the facts that have appeared. When this mutiny first broke out, was the subject debated in this House? No. It was passed by in silence, and those Gentlemen who are so enamoured with secrecy had the complete advantage of it, as much so as could have been desired by any favourite absolute Government; for however I may deplore, and however every man in this country may deplore what has happened, and may have wished that better measures had been adopted for the safety of the nation, yet still it must be allowed that Ministers have had all the advantages of the secrecy for which they are such advocates: as far as regard our proceedings. But there are now exhibited charges against me. I am now accused for not having at first stated the danger of what has lately happened: that I did not at first state the danger of the delay, of which I now complain: now that the money is actually voted, it is strange that I should complain of the danger. I beg the House to consider this charge. Had I at first stated that I apprehended that would happen which has actually happened, I ask this House whether Gentlemen on the other side would not have said they believed, and would desire this House and the public to believe, that that very prediction of mine had a considerable share in causing the event: that the variety of

of statements of dangers in this House contributed to bring about the evil? Mark the impregnable defence of the Minister. Here if you state your opinion of the necessity of expeditious measures, and state the danger of delay, you are said by your statement to cause the mischief which might have been avoided if you had remained silent. But having remained silent you are told that you have no right to complain in consequence of what has happened, for that you yourself did not foresee it, because you did not tell the Minister any thing of your apprehension of danger. If you do state your apprehension you are the author of the mischief. If you do not, it must be taken for granted you yourself had no apprehension of the danger. Let us now apply to the facts. The news of the discontents in the fleet arrived in London on the Monday morning. I happened to arrive in the afternoon of the same day. Uninformed as I then was, I thought that we should have before us the transactions with all possible speed; in answer to a question, I was told that a communication would be made with all possible speed. Should not I be a caviller to have said more at that time? In a few days I did state that it appeared to me to be important that some measure should be speedily taken.

The whole of the question divides itself into two parts, first, Whether there was any cause for any extraordinary expedition in providing a remedy for the evil? for, if there was not, I admit that the whole of my honourable friend's motion falls at once. Ministers have contended this, and acted as if they thought there was no cause for extraordinary expedition; in which they differ, I believe, from every man in this House, and every man in this country. I contend that if, contrary to the specific facts, there had not happened any mischief, still delay was criminal; because it was highly probable that delay would have occasioned mischief. They should have taken the moment of peace and tranquillity at Portsmouth to satisfy the seamen. They must be ridiculously sanguine if they expected that the seamen were not likely to be alarmed at the delay which took place. It has been said that we have not proved that the evil we complain of was owing exclusively to the delay of Ministers; it is true we have no documents to this effect, but the fact is notorious. I ask what is the cause of our being in a state of comparative rejoicing this day, and which produced a dawn of hope among us? Is it not to the measures which have taken place in Parliament? Certainly it is. Why, then, I ask

ask if the case be so, is that not a proof that the want of these measures was the cause of the evil? This I state without entering into the question whether the representations are true or false to any certain extent. Ministers say that the evils are owing to misrepresentations of what happened in another place. Here let us pause. Take it for granted, for the sake of the argument, and for that only, that there have been gross misrepresentations. Does any man believe there is a difficulty in finding out the remedy to such gross misrepresentation? Expedition on the part of Ministers was the only remedy. Had they done their duty by bringing forward the act of Parliament, the effects of misrepresentation would have been comparatively innocent. It is supposed that persons of great authority said in another place, they did not know they should have any orders from his Majesty to make any communication; that we all know in Parliament to be correct in point of form, considering the place in which it was spoken, because it is in this House that the measure must originate; this is another signal instance of the folly and ignorance of Ministers, for they must know what effect this must have on the uninformed. The Minister talks of misrepresentation, and the effect of it, was he ignorant of that effect? He who caused the Habeas Corpus act to be suspended, must surely be aware of the possibility of there being Jacobins, as he has called them, in this country, who would be ready to misrepresent his intentions. I think there are not in this country a sufficient number of such persons to make us shake in our determination to adhere to our constitution, but although I do not think there is enough to do that, yet I think there may be enough to distribute a hand-bill; this he must know as well as any man; then I ask, was he not criminally guilty for neglecting to do that which would render vain all such attempts, by bringing forward an act of Parliament without delay, which was the only effectual way to prevent the evil?

There is another view in which this important question may be considered. I am not going to give any opinion on the negotiation between the delegates of the fleet, and the Admiralty, at Portsmouth; but that measure having taken place, it ought to be considered as a negotiation in which there were certain stipulations. No man can be satisfied in a negotiation until the stipulations of it are performed. Why, then, I ask, if it was not essential for the public benefit, that this negotiation should be made as short as possible? Has that
been

been done? If you tell me this was only a promise, and that time must be taken to perform it, and that the seamen ought to have been satisfied that it would be fulfilled. I answer, that a promise is, in its nature, an incomplete act, and the longer you are in performing it, the more reason do you give for doubting your sincerity. Delay, therefore, upon this occasion, considering all the circumstances, amounts to guilt on the part of Ministers. But it is said, Ministers were sincere—I never doubted it. I never thought of making any accusation against them that they did not intend to make good their promise to the Sailors; what I complain of is, that they delayed the performance of that promise unnecessarily, in consequence of which some of the best blood of this country has been spilt. Then comes the general answer, “Ministers cannot be guilty of any crime upon this occasion; what interests have they in being so?” I know not what interest any men can have in guilt. I know not what interest any Ministers can have in being bad Ministers, and yet we know that men have been guilty, and that Ministers have been bad Ministers; that they have appeared in this world, and I am afraid will continue to appear, and unless there is some controuling power exercised over them, they will continue to do as they have done—much mischief to mankind. I say that Ministers have discovered an incapacity which renders them quite unfit to manage the affairs of this country, and which they will ruin unless this House interposes its authority over them. Will any Gentleman opposite to me deny this? That Ministers have heaped upon this country misfortune upon misfortune, that they have committed blunder upon blunder, and that they have very nearly accomplished the ruin of this country? There are disasters and disgraces which, after a long succession, destroy the faculties of the human mind. I take that to be the case of the Minister; he is, to use a vulgar expression, “beat blind.” That is now his only excuse, his only apology; who but a man who had been so disgraced, could have been blind to the consequences of the delay of which he has been guilty upon this occasion? I know I am accused of speaking with too much warmth upon many subjects; all I can say in answer to that charge is, that I feel for the situation of this country with warmth, and I speak from feelings, of which I think no man ought to be ashamed. Look at what has been done in point of fact in this business. I stated formerly, that on the 23d of April a letter arrived from Portsmouth. The Minister states it to be the 24th. He states, that in one day the memorial was made for the Lords of the Admiralty, and here the Minister is correct
literally

literally rather than substantially, because the news was known early in the morning, so early that a memorial might have been presented on the very day the news arrived; but it appears, that it was not presented till the 26th, and the Order in Council does not issue until the 3d of May. Here is one day entirely lost in this stage of the proceeding. I mean the memorial. In short, there is a delay of seven days upon unnecessary points of form which did not require the delay of as many hours, no, nor as many minutes. The delay in all is full 14 days; and reflect on the circumstances that have happened; nay, what every prudent man foresaw was likely to happen, and then I ask you, whether you think that delay was criminal? But it seems this was all matter of chance, for the fleet might have failed before the last disturbance took place, had it met with a fair wind. Suppose this be granted; then I would ask, ought you not to provide against chances? It was your duty to do so. Had you done so, you might have converted into a blessing that interposition of Providence which, under other circumstances, might have been considered as a disadvantage, by retarding the operations of your fleet. By this the evils would have been avoided, and the sailors would have been completely satisfied. But if they had failed, what would have been your situation. They would have failed without having been satisfied, and what would have been the effect of insinuations to them of your insincerity in that situation, I do not chuse to dwell upon.

There is another point which makes this matter distressing to me. I do not know how far this business may be said even now to be settled. That is a circumstance also of which I cannot help complaining, because we have not a clear fair account of this transaction. We ought to know how far the parties have come to an understanding upon this business. What has been granted of what was asked, and what denied, or what relinquished. Let us remember that the public have a right to know these facts, because on them depends the question of our future security. The people have a right to insist that we should act with wisdom, which we shall not do unless we insist on seeing the real danger of our situation. We should, therefore, shew our vigilance and earnest desire to serve the public by marking the conduct of Ministers with our censure. Good God! look at the situation of this country. I have been accused of looking at that situation with a desponding eye. I can say that looking at the situation of this country six months ago with the very worst opinion of Ministers, and the state of the nation with much diffidence as to the soundness of the Constitution, after what had been done to destroy it, I thought

we were then in the pit of despondency ; I could hardly conceive that any thing could be worse ; but is there a man now alive who does not think that was a state of prosperity compared to the present ? Is there a man who, however gloomy and despondent he might have been then, who is not much more so now. Look at the state of this country ; look at the Bank ; look at Ireland ; look at your last best hope, your national bulwark, and then reflect on your situation. To what is it owing ? Is it not to this ? That the popular part of the Constitution has been sacrificed to the influence of the Executive ? Is it not owing to the too successful endeavours of the servants of the Crown to change the popular branch from vigilance and jealousy to supineness and confidence in the Monarchy ? To prevail upon you to think or act as if you thought that secrecy is better than publicity ? To prevail upon you to act as if you thought that the road that had conducted you to greatness must be abandoned, that you must now pursue another, which will inevitably conduct you to meanness ? That your course would have been so rapid in this new road is what no man would have thought some time ago, but you see it has. If you think that there was no fault in Ministers, vote against the question. But if you think there has been any unnecessary delay in this business, it is your duty, your country demands of you to throw away any attachment you may have to Ministers. If you do not, the most sanguine hope of the most sanguine man in the kingdom cannot even flatter you that you can retrieve your own honour.

Mr. *Dundas* said, he had hoped that when the honourable Gentleman warned the House with so much eloquence against too great confidence in Ministers, that he would also have guarded them against giving way to animosity and rancour. If he thought there was danger from the friendship of Gentlemen to Ministers, it would have been candid to have stated that there was some impropriety in endeavouring to take advantage of what appeared to Gentlemen to be at the best an error in judgment. He thought the charge would have been more impartial, if it had embraced all these objects. With regard to any personal motive, he declared he was actuated by none in making these remarks. That the transaction which had given rise to the present discussion, was one which had given the most poignant concern to his Majesty's Ministers, was a truth almost unnecessary for him to state ; but though every person connected with Government deeply regretted that it should have happened, yet that regret was not mixed with any remorse on their own account. He could declare
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for himself, and he believed for all his colleagues, that they had no such feeling. The honourable Gentleman (Mr. Fox) had used the expression "extraordinary delay," but, which, however, he changed very rapidly into "unnecessary delay." The transition was proper, for the honourable Gentleman must have been conscious that no extraordinary delay had been used upon this occasion, for indeed no measure had ever been forwarded more expeditiously through the House. It was also to be recollected, that the honourable Gentleman had never put any question to his Majesty's Ministers which could be supposed to relate in the smallest degree to the completion of the promises made to the seamen. Every question that had been put by the other side of the House related merely to the circumstances of the transaction, and seemed to have in view no other object than a communication of those circumstances to the House. Questions of a similar tendency had been asked in another House, where it was notorious no money could be voted; and when he saw certain persons acting upon a regular plan and system, it was fair for him to infer that they had the same object in view. Thus he could not help concluding, that the questions the honourable Gentleman had asked in that House had no relation to pecuniary matters; and that a knowledge of the circumstances was all he then wanted. This was, indeed, evident from what had fallen from the honourable Gentleman that night; for with all his ingenuity, even with the help of the event, he was not able to make it appear that he had put any question which could be supposed to relate to any delay in forwarding the measure alluded to through that House; or to any danger that might arise from that delay. It, however, the honourable Gentleman could have given a hint to Administration of any danger that was to be apprehended in consequence of their delay—if he had any reason to suppose that danger really did exist, it was surely his duty to have communicated his information or his ideas of that danger to his Majesty's Ministers. In whatever light he should take it on, whether as an accuser or as an adviser of his Majesty's Ministers, it was to be expected that he would have wished to avert this danger; and it was impossible to suppose that he would not have stated what appeared to him capable of averting it. But, notwithstanding, whatever might be insinuated, no man breathing had reason to doubt that when the fleet went down to St. Helen's the mutiny was not completely over, and the seamen satisfied with the concessions which had been made to them. Was it fair then to argue, that his Majesty's Ministers ought to have suspected that to happen which no man.

in the kingdom could possibly foresee? If the honourable Gentleman really thought there was so much danger in what he called an extraordinary delay, though he might not be inclined to hold communication with his Majesty's Ministers upon every occasion, he could not think it would have been very improper for him to have given them a hint of what he knew or what he suspected. It was plain the honourable Gentleman did not do this because he thought the danger was over. The honourable Gentleman had said there were alarms in the country of the danger of a French party, and he had added, that as Ministers were convinced that this party did exist in the country; they ought to have been on their guard, lest they should again sow the seeds of discontent on board the Fleet. He believed there were many very wicked persons of that description in the country; but as he had been often blamed for stating that there were any such persons in the kingdom, he could not help being surprised now that Ministers should be accused of not guarding sufficiently against them. He was ready to confess, that he had experienced great satisfaction from one circumstance connected with the last disturbances at Portsmouth. That satisfaction arose from a conviction that the seamen were not infected with Jacobinism. In the moments of the greatest exasperation they had declared, that they would not suffer the Crown of England to be imposed upon, nor the glory of the British fleet to be tarnished. He firmly believed, if any attempt had been made to detach them from those principles of loyalty and affection to their Sovereign, which had always distinguished British seamen, they would not have yielded to any such attempt. He believed even now, that they would regard all attempts of that kind with indignation; but no attack of that kind had then been made upon them. Some persons, however, for whom he could not find a name, whether Jacobin or any other, sufficiently descriptive of their wickedness, soon sought to mislead them. The moment the question of the seamen's pay and provisions were settled, and his Majesty's most gracious pardon granted to them, these persons endeavoured to persuade them that the pardon was a forgery. When misrepresentations on what had passed on this subject in another place had been circulated abroad, their mode of attack was changed. The seamen were then told, that Parliament meant to betray them. Before this malicious falsehood was circulated amongst them, they had entertained no jealousy, because there was no ground for it. But did the honourable Gentleman mean to say, that some such event as that which had unhappily occurred, might not have taken place if the business

business had been brought before Parliament sooner? Was the honourable Gentleman certain that the same diabolical tongues would not have invented some other story, calculated to promote that confusion which they desired? It must, however, give the greatest satisfaction to the House to learn, that when the Resolution voted on Monday last was sent down to Portsmouth, favourable symptoms of a return to duty appeared among the seamen. This was the natural consequence of their discovering that they had been imposed upon; and he trusted that this disposition would continue, and that all differences would be finally adjusted when they should learn that the House had so completely fulfilled all that had been promised to them. It could not, however, be denied, that the Seamen were satisfied with the grants of the Admiralty. The greatest proof of their satisfaction was, that they immediately acted upon it, by returning to their duty. It was therefore in vain to argue that the second mutiny was occasioned by any neglect of Administration. No man could tell whether that unhappy affair might not have happened under very different circumstances; at the same time he was ready to allow, that if any suggestion had been made to his Majesty's Ministers, of danger to be apprehended from delaying the measure so often alluded to, they deserved censure; but in fact, this danger never entered into the imagination of any man. The fleet had sailed under an impression of gratitude for the liberalities of the Admiralty, and with the fullest conviction that all that had been promised to them would be completely and faithfully fulfilled. It was certain, that had it not been for the contrary wind, the fleet would have been now at sea. Under all these circumstances he was convinced that the House could not agree to the motion. It was obvious, that no censure could attach to Ministers for not foreseeing events which no other persons in their situation could have had the smallest suspicion of being likely to take place. He therefore thought it unnecessary to trouble the House with any further observations on a question which he could with difficulty suppose was seriously agitated by the honourable Gentleman who had brought it forward.

Mr. Fox explained. When he said the delay was "extraordinary," he had used the word extraordinary in its usual acceptation. He considered the delay to be extraordinary when compared with the importance of the measure that was to be brought forward, and the necessity of accelerating it. There was another topic the honourable Gentleman had alluded to—"Jacobinism." He would call it so, because the term was understood. He was afraid that the honourable Gentleman
mean

meant to insinuate, that he (Mr. Fox) imagined that a spirit of Jacobinism existed in the fleet. He had stated no such thing; but as his Majesty's Ministers had always pretended to believe that there were a great number of persons of that description in the country, they were wrong in being off their guard as to the danger which might arise from such persons communicating with the fleet. He was ready to acknowledge that he had called more particularly for an explanation of the circumstances of the transaction at Portsmouth, than for the estimates being submitted to the House; but so far from stating that he had any information to give to his Majesty's Ministers, he had only desired to know their information, because it might throw a different light upon the transaction. He had said before, and he now repeated, that it would have been far better the seamen had sailed with a conviction of the promises made to them having been fulfilled, than that they should sail only with the conviction that they would be fulfilled. It was evident that in the former case none of the misrepresentations the honourable Gentleman had alluded to, could have had any effect. The seamen would have had the Act of Parliament to refer to as a proof that they were false.

Mr. Curwen wished to know whether the seamen had demanded more than was granted to them by the Admiralty? If they had demanded more than was granted to them, and any disaffection remained on that occasion, Ministers could not have been too expeditious in ratifying all that had been stipulated they should obtain; any delay in this case certainly deserved the censure of the House. On the other hand, if every thing the seamen had demanded was granted to them by the Admiralty, he was ready to admit that his Majesty's Ministers might suppose that there was no reason to apprehend that new discontents would arise, in consequence of the business not having been laid before Parliament. If he could be convinced the latter was the real situation of the case, he should think himself bound to vote against the motion.

The *Chancellor of the Exchequer* said, he did not believe that any answer he could give to the questions put by the honourable Gentleman would enable him to avail himself of his support. The honourable Gentleman had stated, that if his Majesty's Ministers had reason to think the Seamen expected more than was granted to them by the Admiralty, the proposition for fulfilling the promises which had been made to them, should have been more speedily submitted to Parliament. After what he had already said, it was unnecessary for him to enter further into the discussion of the question. He could however state, that

that there was at one time more demanded by the Seamen, than that upon the granting of which they returned to their duty.

Mr. *Curwen* said a few words in explanation.

Lord *George Cavendish* said, when the measures of Administration became weak or wicked, it was the duty of that House to institute an enquiry. Nobody could have more respect than he for the noble Lord at the head of the Admiralty, and he believed that no blame attached to him in the present instance; but there was certainly a criminal neglect in Ministers not fulfilling the stipulations which had been made by the Board of Admiralty at Portsmouth. It had been suggested, that the present discussion ought to have been postponed. He was of a different opinion. The House had all the information necessary to enable them to decide upon the question.

Mr. *Whitbread* replied. He said an honourable Baronet, who had spoken early in the debate, deprecated agitating the question, lest the House might come to decision under wrong impressions, a circumstance which they might afterwards have to regret. It was evident, however, that every information on the subject that could possibly be obtained was now before the House, and there was much more than was necessary to prove that a vote of censure ought to be passed against his Majesty's Ministers. The defence set up by the honourable Gentleman he understood to be this—"The mutiny is over; the combination of the Seamen does not exist; and therefore no extraordinary expedition is necessary in bringing the business before Parliament." He would beg leave, however, to remind the honourable Gentleman of some circumstances which he seemed to have overlooked. It was a fact that three of the ships at Portsmouth had remained all along in a state of mutiny, and when the rest of the fleet sailed, refused to raise their anchors. It was also well known that the ships at Plymouth remained in a state of mutiny after the Admiralty had granted the demands of the Seamen, and would not believe an official statement of the affair being settled, until they sent their delegates to hold a conference with those of the fleet at Portsmouth, and to be satisfied of the truth of the account by a personal conference with them. This surely was a proof that the combination was not dissolved. It shewed, that there was much jealousy entertained by the seamen as to the sincerity of Government, a circumstance which ought to have excited the vigilance of his Majesty's Ministers and make them hasten to prove to the seamen their suspicions were groundless. If danger was apprehended from Jacobin emissaries influencing the seamen,

seamen, that danger was not solely confined to the ships in port; suppose any of these emissaries had got on board any of the fleet, and after it had sailed, had represented to the Seamen that Parliament did not intend to sanction what the Board of Admiralty had stipulated to them. would not the danger to the country been as great of a mutiny at sea as at Spithead? It would therefore have been well if the seamen had it in their power to say to such emissary, that his statement was false—The orders under which Admiral Colpoys had acted were issued before the seamen were convinced that the promises made to them were to be fulfilled. If the intelligence of this second mutiny were to reach Admiral Jervis's fleet before the intelligence of a reconciliation having taken place, the event might be fatal indeed to the country. That House would neglect their duty, if they did not come to a vote of censure upon his Majesty's Ministers for the neglect of their's. It had been said that he had been indecisive as to whom he meant his motion against. He was ready to declare that he meant it to apply to the Chancellor of the Exchequer alone, because he conceived all the other Ministers subordinate to him, and to be completely under his controul. The House then divided.

<i>Ayes</i> (For the Motion)	—	63
<i>Noes</i> (Against it)	—	237
<i>Majority</i>	—	174

HOUSE OF LORDS.

FRIDAY, *May 12.*

The Duke of *Bedford* said, that he had the preceding day informed the House it was not his intention to bring forward this day the subject of which he had formerly given notice, and for which their Lordships were summoned this day. He observed at that time that he did not wish to discharge the order for summoning their Lordships that day on account of the anxiety of the public mind, and the hope he entertained that something might appear to relieve that anxiety. He was very anxious upon that subject, and therefore he came down every day, but he had not the good fortune to see in their places those Ministers from whom he could expect authentic information on a subject of the greatest importance. Circumstanced as our affairs were at this moment, he did not think it would be extremely improper in him, and he would go so far as to say, improper any person to bring forward any thing upon the subject to which he had alluded, since it might be detrimental to the public

public service. That was a sufficient reason for him to wave, for the present, the objections he had to the conduct of his Majesty's Ministers. Not that he had abandoned such objections; on the contrary, he should persist in them at the first period that should appear to him not to be unseasonable. He was bound to do so in his own vindication, for he was considerably involved in the question by the language that was used by the noble Secretary of State on a former day. He should, however, refrain for the present. He requested only that the House should recollect when he should bring this matter forward, the reason he had assigned for declining it now; and he hoped he should not then be told "the thing is blown over, and consequently it is unfit to discuss it."

Lord Grenville said, there could be no pledge entered into as to what arguments should be urged before the House at any future period. The House must judge of the propriety of arguments when they were submitted to them.

The Duke of Bedford then said, that the subject which he was to have brought forward that day he should submit to their Lordships on Monday. He then moved, That the Lords be summoned for Monday.—Ordered.

Received several bills from the Commons.—Adjourned.

HOUSE OF COMMONS.

FRIDAY, May 12.

The Middlesex County Rate bill was read a third time and passed.

The East-India Fencible Regiment bill was read a second time.

Colonel Gascoyne brought up the report of the bill for regulating the Wages of Seamen in the West-India trade.

The Stamp Duty bill on Attornies' Certificates was read a third time and passed.

The Chairman of the Canterbury Election Committee reported their decision, by which John Baker and Samuel Sawbridge, Esqrs. are declared unduly elected, and that George Gipps, Esq. and Sir John Honeywood, ought to have been returned.

The Clerk of the Crown amended the return by striking out the names of John Baker and Samuel Sawbridge, and substituting those of George Gipps and Sir John Honeywood.

The report of the Vagrant bill was brought up.

A conversation arose upon a clause in the bill for allowing a discretionary power to Magistrates in certain cases to pass va-

grants without punishing them. The House divided upon the question of agreeing to the clause,

<i>Ayes,</i>	—	—	32
<i>Noes,</i>	—	—	7

Majority 25

Mr. *Alderman Combe* gave notice, that on Friday next, in conformity to the instructions he had received from his Constituents, he should move an Address to his Majesty praying him to dismiss from his presence and councils his present Ministers.

The other orders of the day being disposed of, the House adjourned till Monday.

HOUSE OF LORDS.

MONDAY, MAY 15.

The Duke of *Bedford* reminded their Lordships that they were summoned on this day to take under consideration the report of the Secret Committee which they had appointed to enquire into the causes that produced the necessity for issuing the order of the 26th of February last, prohibiting the Bank from paying their notes in specie. It became incumbent upon their Lordships to take that Report into consideration, and to found some resolutions upon it, as their Committee had not drawn any conclusion from the evidence which was laid before them. As he was the person who had moved for the appointment of that Committee, he considered it as a duty which devolved upon him to propose these resolutions. He lamented, however, that the task had not fallen upon some other person, as he felt it to be both difficult and painful; he should have felt it to be a labour of no inconsiderable difficulty to have called the attention of that House to a subject of so extensive and complicated a nature as that of the finances of the country; but that which would in any circumstances have been difficult, was, in the present instance, rendered painful by the consideration that if their Lordships did not express a decided disapprobation on the conduct which Government had pursued in the business which was to be the subject of discussion, they would implicate the character of that House, and implicate the character of the nation. After calling their attention to the matter stated in the Report, he should submit certain resolutions, founded upon the evidence which it contained, which he hoped would meet with the concurrence of the principal part of that House.

In what he had to advance he should have occasion frequently to allude personally to the Chancellor of the Exchequer. He averred, that when one Member of any Administration acted in such a manner as to merit the censure of Parliament, all the Members of that Administration ought to be arraigned; but on the present occasion he should allude personally to the Chancellor of the Exchequer more frequently than to any of his colleagues, because his name occurred often upon the Report. But though he should impute blame personally to him, he did not consider him as singly the object of censure; if his colleagues in office had not sanctioned the measures which he proposed, he never would have dared to carry them into practice. When he first read the order of Council, ascribing the drain of cash in the Bank, which rendered it necessary to prohibit the payment of their notes in specie, to an unfounded alarm of invasion, he much doubted the truth of the allegation. If an unexpected run upon the Bank had been occasioned to that extent by the alarm of invasion, it appeared strange to him that that run had not taken place at the opening of the Session of Parliament, when the danger of invasion was so strongly inculcated upon the minds of the people; but if he was led to doubt of the truth of the allegation when the order in Council first appeared, these doubts were strengthened and confirmed when he found that the Committee appointed by ballot to enquire into the causes which produced it, was composed not only of the known and jealous supporters of Administration, but of Members of that very Cabinet upon whose conduct they were appointed to decide. When he found this mockery of enquiry carried into practice in a case where, if the measure which was to be investigated was pronounced to have been injurious and impolitic, the authors of it would have been instantly impeached; and when he recollected the various instances of incapacity and duplicity by which the present Administration was marked, he conceived that the real cause of the order in Council was very different from the pretended one. Impressed with these sentiments, he thought it his duty to move for another Committee, with more extended powers than those with which the former Committee was invested. This his Majesty's Ministers did not think proper to deny, but the Committee was composed, as before, of their own supporters, with a due proportion of the Members of the Cabinet. He scarcely supposed that a Committee so formed was likely to bring to light the true causes which produced the necessity of issuing the order in Council. But on this point he was fortunately disappointed, the Committee having had to examine men of the

first respectability, all of whom coincided in sentiment, and having had to inspect written documents which left not even a shadow of doubt respecting the inferences which were to be drawn from them. The Ministers answers to the remonstrances which were made to him in person by the Directors of the Bank were the only papers to the authenticity of which any objection could be offered. But these answers were taken in such a way, as appeared from the evidence of Mr. Bosanquet, that no reasonable doubt could be entertained that they came before the Committee in their true shape. In page 29 of the Report they found, from this Gentleman's evidence, that the answers of the Chancellor of the Exchequer to the representations of the Directors of the Bank were delivered verbally to the Governor and Deputy Governor, who reported the purport of them to a subsequent Court; and that such Reports were minuted in the Bank Book. Upon his being asked, whether he believed that such minutes contained an accurate statement of what passed between the Governor and Deputy Governor of the Bank, and the Chancellor of the Exchequer? he answered, he had no doubt but they did. Unto a question, whether the purport of these minutes were settled by the persons deputed to attend the Chancellor of the Exchequer? he replied in the affirmative. He did not feel it necessary to dwell longer upon this subject, persuaded as he was that no doubt could rest regarding their authenticity upon the mind of any man who was not disposed to cavil in defiance of all probability. He had said that he was disposed to doubt the truth of the matter contained in the order of Council from the beginning. These doubts were much confirmed by the investigation of the Committee. And here he referred to the evidence of Mr. Giles (page 50 of the Report), in which it is stated that he had made frequent representations, in the capacity of Governor of the Bank, to the Chancellor of the Exchequer, all of which tended to persuade him of the danger to the Bank from the diminution of its specie, in consequence of its advances to Government. He next adverted to the evidence of Mr. Raikes (page 56 in the Report), in which he states that he has had conferences with the Chancellor of the Exchequer, as Deputy Governor of the Bank, in which representations were made to him on the subject of foreign loans or remittances, and on the danger of continuing the advances made by the Bank to Government, and the times at which these representations were made he particularly mentions. Mr. Bosanquet (in page 34 of the Report) states, that if the advances of the Bank to Government had been paid off, or greatly

ly diminished, it would have enabled the Bank to regulate, at their discretion, the amount of their notes in circulation, and they would have diminished in some degree the necessity for issuing the order of Council; he concluded from the answers of the Chancellor of the Exchequer, that no doubt could be entertained that he was fully aware of the apprehensions of the Bank Directors, arising from the frequent advances which were made to Government, and that by persisting in the same line of conduct, contrary to their remonstrances, he rushed into the danger which they foresaw, and against which he was warned. —He next called the attention of their Lordships to a paper annexed to the report, entitled a Summary of the Chief Points which had occurred to the Committee in the course of their enquiry. How this paper came to be called a Summary he knew not, for no one who read it, after perusing the report, could consider it as conveying the substance of that report. To say that he disagreed with many parts of this paper, was a feeble term to express the disapprobation which he felt at it. It abounded in gross misrepresentations of the truth, in shameful attempts to conceal what ought to be known to the House, and in assertions which were not warranted by fact. By the slightest attention to the paper to which he alluded he was convinced that their Lordships would agree with him in these positions. It began with stating the amount of circulation in the kingdom; this opened a wide field, and whether it was necessary for the Committee to enter into it he could not pretend to say; but if an account was to be given of the circulation, it should have been given accurately, and stated as it came out in evidence. As it was contended, however, in this paper, that the difficulties of the Bank were owing in some degree to a scarcity of circulating medium, it was not surprising that they endeavoured to keep part of the means of circulation in the back ground. Hence it was denied that bills of exchange were applicable to the purposes of circulation. “Inland bills of Exchange (say the authors of this paper) are thought by many to be a part of the circulation of the kingdom. They are not strictly so in the same sense, as the two sorts of paper before mentioned, namely notes of the Bank of England, and bills of country Bankers.” That bills of Exchange could not answer all the purposes of cash was pretty notorious, but he referred to Mr. Thornton’s evidence upon the subject (in page 71 of the Report) where he states his opinion to the following effect:—In calling bills of Exchange

change a means of circulation, I do not consider them as equally so with the other two articles I have mentioned, (coins and notes payable on demand), since they ostensibly serve the purpose of ascertaining debts between buyer and seller, and of pledging the acceptor to a punctual payment, and are often created chiefly with that view and are used but sparingly, and occasionally as a means of circulation. I conceive that the number of Bills of Exchange, which may happen at any time to exist, bears no necessary proportion to the magnitude of the existing trade, although I conceive that the use of them in payment does bear a pretty regular proportion to the quantity of commerce. For instance, at Liverpool and Manchester, all payments are made either in coin or bills of Exchange." Now, when he considered that bills of Exchange were the chief means of circulation in these two great manufacturing towns, and that they bore a regular proportion to the quantity of commerce, he could hardly agree with the opinion advanced in the paper annexed to the report, that they were not a part of the circulation of the kingdom strictly so understood. A discussion of this question would lead him into too wide a field, particularly upon the present occasion, when he wished to draw the attention of their Lordships rather to facts than to speculative opinions. Among the various causes which had produced the scarcity of cash in the Bank, which he thought was scarcely worth the attention of that House, and which he should not have supposed that the Committee could have gravely stated, namely, the diminished number of bills of inclosure since the war, there was a paper bound up in the Report, giving a comparative statement of the number of Bills of inclosure before and since the commencement of the war, from which it appears that they have increased very considerably in number since the war began. They would find, however, that the same thing happened during the American war in pretty nearly the same proportion, the only inference, therefore, that could be drawn was, that it was one of the consequences of the war, which the Committee would have seen, had they called for the account for the last twenty instead of the last nine years.

He came now to a subject of a much more serious nature. He had said before, that things were stated as facts in this paper, which were not warranted by the evidence given before the Committee, and contained in the Report. How to account for the gross mis-statement which he was about to mention,

mention, he was utterly at a loss. In page 252, they found that all the remittances made for the services of the war in the West Indies, on the Continent of Europe, in the island of Corfica, and other distant parts of the world, amounted during the four last years to 33,510,779l that the sums expended on the European Continent, distinguished from those expended in other parts of the world, during the said four years, including the Imperial loan, and the advances made to the Emperor, amounted to 14,988,422l.; and, lastly, that the sums paid for all sorts of military services on the Continent, during the war ending in 1763, amounted to 20,626,997l. He had to remark in the first place, upon this statement, and if the authors of the Report meant to compare the expences of the present war upon the Continent with those of the war ending in 1763, the number of years ought to have been marked, and then their Lordships would have found that there had been expended in the four years of the present war almost as much as had been expended in eight years of the former war; for it is to be recollected that there is one million to be deducted from the 20,000,000l. of expence incurred in the war of 1763, for the winding up of the accounts which still remain as a charge to be defrayed at the conclusion of the present war. This was not all: he begged their Lordships particularly to remark that in the account of our Continental expences during the present war, the sums advanced to the Emperor are said to be included. It so happened, however, that the account was accurate only by leaving out the words "including the imperial loan and the advances made to the Emperor." These sums appeared in the title, but were excluded from the body of the account, so that in fact there was an error in the total sum of 5,500,000l. For an error so palpable and gross he knew not how to account. If it was committed for the purpose of deceiving their Lordships, and deluding the country, he should feel the strongest indignation at those who had been the authors of an insult so unpardonable to the good sense of that House and of the nation. If, on the other hand, the account was made out according to the best ability of those by whom it had been prepared, what was he to think of the wretched incapacity of those who, presiding over the affairs of a mighty empire, had not the ability to make out a plain account? He left it to their Lordships to decide whether the error originated in intention

or in ignorance; but to one or other of these causes it must be imputed.

The next point to which he called the attention of the House, was the state of our Exports and Imports, upon which great stress had been laid by the Committee. He reminded their Lordships, that in the last years of the American War, the excess of the Exports above the Imports of the country were averaged at 6,000,000*l*. As this excess was a natural concomitant on war, he cautioned the House how they acceded to the inference that was drawn from it. Upon this part of what is called the Summary of the Report, he had another observation to make not very favourable to the ingenuousness of those by whom it had been drawn up. But having found out an error so gross in a former statement, he might, perhaps, be led by this detection to impute to them an intention to deceive where there was none. He found that the additional expence of naval stores, which certainly was considerably increased in time of war, is stated as having rendered the balance of commerce less favourable to the country. But it ought to have been mentioned on the other side of the account, that this very circumstance increased the excess of our exports over our imports. The shock which public credit had sustained on the present occasion was compared to the state of the country in 1783, when a similar shock was felt, occasioned by the extension of commerce, immediately upon the return of peace. But he would ask, whether the country was in the same circumstances now, that it was then, and whether a calamity befalling us in time of war, could be ascribed to the same cause with a difficulty springing from the conclusion of a peace? Besides misrepresentation and perversion of facts, he had asserted, that in a paper annexed to the Report, there was concealment of material parts of the evidence, and here he begged to put one simple question to their Lordships. If they had desired their Committee to lay before them a summary of the evidence, as it occurred in the course of their enquiry? Perhaps in strictness they might have expected a summary of every part of that evidence; but, if they excused the omission of any part, would it be the most material and important? In the Summary, however, now before them, he was surprised to find the most material parts of the evidence entirely omitted, namely, the correspondence which took place between the Chancellor of the Exchequer and the Direction of the Bank upon the danger which would result from his persevering in making remittances to foreign powers, and their continuing to make advances to Government. To the evidence upon this subject the authors
of

of the Summary merely refer, without attempting to give the substance of it. It would have been difficult indeed to have given a summary of these conferences and this correspondence; for, said the Duke, it is impossible to expunge one sentence they contain without expunging a charge against the Minister. It was to this part of the Report, however, to which he begged leave to call the particular attention of the House, as it was upon this branch of it that he meant to found his resolutions. In the Summary of the Report, Mr. Ellison is represented as ascribing the stoppage of the Newcastle Banks to a local alarm, similar, as stated by that Gentleman, to that in 1793. Now, it was to be observed, that Mr. Ellison, on his evidence (as appears in page 88 of the Report) represented the alarm of 1793 as originating in the stoppage of the banks, or that if the present alarm was similar to that of 1793, it was the effect and not the cause of the shock that public credit had sustained. In his Grace's opinion, that shock had been produced, not by alarms, but by a combination of different causes, many of which had existed for some time back. Upon this part of the subject he regretted that some papers, containing statements of the quantity of cash in the Bank at different periods, which were laid before the Committee, had not been published in their Report. Upon the question of the propriety of publishing them after what had happened, he was clearly of opinion, that the greater publicity there was given to the affairs of the Bank the better, for wherever there was concealment there would be suspicion. In the present circumstances he regretted not having these papers, the more because he could have shewn from them the statements contained in the Reports to have been false. In the Report the cash of the Bank was said to have been higher in June than in March, and the greatest drain was represented to have taken place in March and June. But if these papers had been before the House, he would have had no difficulty in shewing them that a very serious drain commenced as early as June, 1795; though the Committee did not state it as commencing till September, in that year. How they made out their statement, he knew not. His Grace next adverted to the evidence of Mr. Thornton and Mr. Boyd. He had nothing to say against the credit of these Gentlemen, but without calling in question their veracity, he might be permitted to doubt the truth of their speculative opinions; the more so, as he found that they doubted the truth of them themselves. He found Mr. Boyd dealing in opinions, which certainly were not new, which were much in vogue in France at the beginning of the Revolution, and which at that time

were reprobated by the King's Ministers as leading to inevitable ruin. The substance of Mr. Boyd's, and Mr. Thornton's opinions were, that the difficulties which the commercial world had experienced, and the shock which public credit had sustained, arose from the Bank not extending their discounts. To the theories of these Gentlemen he opposed the sentiments of Mr. Adam Smith. Here he again, however, had to complain of the authors of the Report for endeavouring to mislead. One would naturally conclude from the Report, that the facts it contained, related to the state of the country at the time the Order of Council was issued; it was naturally to be expected, and there was nothing upon the face of the Report to excite a suspicion that it was otherways. He thought it his duty to state, however, that the facts there recorded, related not to the time at which the Order of Council was issued; but to the period at which the witnesses were examined. The reduction of the paper in circulation amounted to only one eighth from the quantity afloat in 1795. But, even supposing that the decrease had been greater, he could not perceive how a decrease of Notes could produce a decrease of cash, though he could easily perceive that a decrease of cash might produce a decrease of Notes. Mr. Thornton said, that it was the same thing to the mercantile world whether advances were made by the Bank to the Merchants or to Government; and that it was only from a superficial view of things that the Merchants formed a different conclusion. His Grace, for one, was willing to partake in the Error of the Merchants; for if he wanted money to carry on his trade, he conceived it would be very little comfort to him to be told that the Bank were about to lend a million to Government. He found also that these Gentlemen contradicted their own opinion in what they afterwards advanced; respecting the unwillingness of private Bankers to discount the bills of individuals when money was at a high rate of interest. He found also, that the Chancellor of the Exchequer, if ever he had been a convert to their opinion, had now abandoned it, since he was for repaying the Bank the advances which they had made to Government, with a view, no doubt, to relieve from its present difficulties. This measure was an acknowledgment that the repayment of these advances at an earlier period would have averted the calamities which have recently befallen it; for it was not to be supposed that any measure could retrieve it when ruined, which would not have saved it from ruin, if adopted in time.

The Duke next adverted to a passage in the Report, in which he said an insinuation, founded upon the speculative
opinions

opinions of Mr. Boyd and Mr. Thornton, had been basely attempted to be thrown upon the conduct of the Bank Directors; an insinuation which he did not believe to have been in the rough sketch of the Report, but which had crept into it in its more polished form. Having repelled this foul insinuation, he called the attention of their Lordships to a paper drawn up by Mr. Winthrop, a Bank Director, containing much sound sense, and upon which it was certainly infinitely more creditable to act than the airy theory of issuing notes to an indefinite extent, which would have been productive of tenfold greater evils than those which before existed. The only other part of the Report which remained for him to notice, was that toward the conclusion, respecting alarm; so convinced were the Committee that the necessity which produced the order of Council had nothing to do with alarm as its cause, that they never mention it to the conclusion of the Report. Indeed it would not have been perfectly consonant with the theory which runs through that Report, to have ascribed the evil to alarm as its cause, for however much an ill grounded alarm might tend to remove cash from circulation, it could not narrow the circulation of Bank notes, which the theorists described as the only evil in its existence. The Duke then proceeded to state the substance of resolutions which he meant to propose, founded upon the correspondence which had taken place between the Bank Directors and the Chancellor of the Exchequer, the tendency of which, on the part of the Bank, was to procure re-payment of the advances made by them to Government, and the danger which might result to the Bank from Government persisting in its demand for new advances, with discharging any part of its past arrears; and on the part of the Chancellor of the Exchequer to procure new advances from the Bank, by holding out to them promises of repayment which were no sooner made than violated. His Grace then went through the different parts of this correspondence, commenting upon the resolutions of the Bank Directors, and the answers made to them by the Chancellor of the Exchequer. He particularly adverted to the resolution of the Court of Directors of the 11th of February, 1796, and Mr. Pitt's answer to it of that date, in which he positively promises neither to make any further loan or advance to the Emperor, without previously consulting the Bank, while, at that very moment, he was sending money abroad for the service of his Imperial Majesty without the authority of Parliament. On the 30th of July a resolution was passed by the Court of Directors, reminding the Chancellor of the Exchequer of his former and repeated promise to reduce their ad-

vances as speedily as possible, and determining for the future to refuse payment of all Treasury bills beyond the sum of 500,000*l.* though that was about the time fixed for the meeting of Parliament, the Minister persisted in concealing from the public the real state of their finances. And when Parliament was convened, instead of plainly communicating to the Legislature the pecuniary embarrassments of the country, he put into the mouth of his Majesty an expression of satisfaction that the temporary embarrassments which had been felt were no longer in existence, and that the extent and solidity of the resources of the nation had triumphed over all the difficulties to which, for a period, they had been subjected. It was curious also to remark the excuses which were made by the Chancellor of the Exchequer for the violation of his engagement; he first forgets his promise, then those under him do not obey his orders; a third time he is obliged to go to Cambridge, and last of all the Bank gave him too short notice. With respect to the conduct of the Bank Directors, his Grace thought them culpable in not coming to Parliament, and laying before the Legislature the means which the Chancellor of the Exchequer took to procure money from them. They had done every thing, however, which, according to their conceptions, they could do with propriety.

The Duke of Bedford concluded with an eloquent appeal to their Lordships. It remained, he said, for them to decide, whether they should pass a censure upon the unprincipled and corrupt conduct of Ministers, or whether they should attempt, and a vain and frivolous attempt he assured them it would be, to screen them from the just condemnation which awaited them. If they did not shew that a weak and incapable Administration, who after violating every principle of rectitude, and outraging the rights of the people, could not escape the just punishment of their crimes, by holding out the rewards of corruption as a bribe for the purchase of indemnity, they would be participating in their guilt, and would eventually share in their disgrace. If they passed a vote of censure upon the ruinous and destructive plans which they had been pursuing, the support which they had hitherto given them might be imputed to error; but if they persisted in lending support in defiance of the plainest proofs of criminality, the plea of error would no longer serve them, nor could it be resorted to as a plea of defence. He called upon them to shew the country and the world whether they had one spark of British spirit in their bosoms; whether they were virtuous enough to acknowledge their faults, and brave enough to shake off the fetters of corruption. He invoked them to shew that they had their children and their posterity in
their

their contemplation, and that they were not regardless of very thing beyond the passing hour. He was aware that he might be accused of overstepping the bounds of moderation; but when he reflected on the character of the present Administration, those despoilers of our fortunes! those oppressors of the poor! those plunderers of the rich!—when he saw some of the greatest and most powerful individuals in the kingdom become the despicable agents of venal partisans of a corrupt and desperate faction, he could not boast cold-blooded patience, he had no claim to apathy. If they thought that they could not restrain public opinion by chains and fetters, they were miserably mistaken. They might attempt to stop the current of the tide, but he warned them that a hoisterous wind might arise which would drive it beyond its banks and deluge all around. They were called upon by the imperious voice of awful and threatening events to rouse from their supineness, to awake from their torpid state of lethargy. He was satisfied there was none in that House who distrusted the loyalty of the people of this country, but he reminded them that Englishmen were born to be free and must be free. If the Government therefore wished to preserve its authority, it must be by reigning not over the will but in the hearts of the nation. His Grace after continuing this peroration with great warmth and asperity for some more pointed periods, sat down, having moved the first of the following resolutions:

1. That it appears to this House that subsequent to the month of June, 1795, and during the year 1796, a great diminution was experienced in the specie of the Bank of England.

2. That the Governor and deputy Governor of the Bank, did at various times represent to the Chancellor of the Exchequer, the danger to the Bank from the diminution of its specie, particularly at the following periods:

11th,	Dec. 1794.
10th,	Oct. Ditto.
23d,	Do. Ditto.
18th,	Nov. Ditto.
3d,	Dec. Ditto.
15th, and 16th,	Jan. 1796.
28th,	Do. Do.
5th, and 6th,	Feb. Do.
11th.	Do. Do.
8th, 10th, 21st,	Feb. 1797.

3. It appears that during these periods the Directors of the Bank frequently remonstrated with the Chancellor of the Exchequer, on the magnitude of their advances to Government, anxiously requiring payment, or a considerable reduction of the same; but, that nevertheless, the Chancellor of the Exchequer, not only neglected

neglected to comply with the object of those remonstrances, but usually under pretence of the necessity of the public service, renewed his demands for further aid; and that under the exigency of the case, as stated to them by the Chancellor of the Exchequer, the Directors of the Bank were from time to time induced to consent to further accommodation.

4. That it appears that the Chancellor of the Exchequer frequently solicited such further accommodation, in the most anxious and pressing terms; declaring, that it was impossible to avoid the most serious embarrassment to the public service, unless the Directors of the Bank afforded the assistance he required.

5. That it appears, that although by these means the Directors of the Bank were induced to comply with his demands, they generally expressed their reluctance in strong language; and that they at last, that is to say, on the 28th of July, 1796, thought it necessary for their own justification, to request the Chancellor of the Exchequer to lay before his Majesty's Cabinet their most serious and solemn remonstrance; in which they declare that, "sensible of the alarming and dangerous state of public credit, nothing could induce them to comply with the demand then made upon them, but the dread that their refusal might be productive of a greater evil."

6. That it appears, that during the above period, a considerable portion of the Bank advances was occasioned by payments of Bills of Exchange drawn on the treasury from abroad.

7. That it appears that it had seldom been the custom of the Bank of England to advance on the account of such bills, more than from 20,000*l.* to 30,000*l.* and that even during the American war such bills never exceeded at any one time the sum of 150,000*l.* The wisdom of our ancestors having foreseen, and provided against, the mischief of similar advances by a clause in an act passed in the fifth year of William and Mary, by which the Governor and company of the Bank of England were restrained from advancing any sums of money, other than on such funds on which a credit is granted by Parliament.

8. That it appears, that from and after the year 1793, at which time an act of Parliament passed, containing a clause by which the Directors of the Bank are indemnified for the advances they had made out of the bills drawn from abroad, and exempted in future from the penalties of the said act of William and Mary, respecting such advances to Government, the amount of treasury bills paid at the Bank continued progressively to increase, and that between the 1st of January, 1795, and the 25th of February, 1797, sums to the amount of upwards of 15000,000*l.* were at different periods advanced to Government upon this head.

9. That it appears, that the Directors of the Bank did, at various times, during the years 1795, 1796, and 1797, apply to the Chancellor of the Exchequer, for repayment of such advances, and represented to him the ruinous consequences to themselves and to the public, of continuing the system of making treasury bills payable at the Bank; and that they even declared they conceived it to be "an unconstitutional mode of raising money, and what they were not warranted by their charter to consent to."

10. That

10. That it appears that the Chancellor of the Exchequer did, at various times, in that period, undertake to reduce the advances on that head, within the sum of 500,000*l.* and likewise so to arrange his payments as to put an end to the account; but that, nevertheless, the said promises never were kept by him, and that the advances on treasury bills, on the 28th February, 1797, amounted to 1,619,049*l.*

11. That it appears to this House that foreign remittances to a much larger amount than ever were known in the most expensive wars in which this country has been involved, have taken place since the year 1793.

12. That the extent of such remittances, occasioned at so early a period as the end of the year 1794, and the beginning of the year 1795, great alarms in the minds of the Directors, which they had at various periods communicated to the Chancellor of the Exchequer; and that on the 3d December, 1795, the court of Directors, under the apprehension that it was intended to grant a further loan to the Emperor, came to a resolution by which they declared their unanimous opinion, that should such a loan take place, it would be "most fatal in its consequences to the Bank of England." That they communicated such resolution to the Chancellor of the Exchequer, who answered them "He should lay aside all thoughts of it, unless the situation of things relative to the Bank should so alter as to render such a loan of no importance or inconvenience to them."

13. That on the 5th of February, 1796, the Chancellor of the Exchequer, after stating, in conversation with the Governor and Deputation from the Bank of England, his opinion of the necessity of further assisting the Emperor, promised to take no step in that business without previously communicating to them his intention.

14. That on the 11th February, 1796, the Directors of the Bank passed unanimously the following resolutions:—

"Resolved, That it is the opinion of this Court, founded upon the experience of the effects of the late Imperial loan, that, if any further loan or advance of money to the Emperor, or to any other foreign state, should in the present state of affairs take place, it will in all probability prove fatal to the Bank of England."

"The Court of Directors, therefore, do most earnestly deprecate the adoption of any such measure, and they solemnly protest against any responsibility for the calamitous consequences they may follow thereupon."

To which resolution, when communicated to him, the Chancellor of the Exchequer returned for answer, "That, after the repeated intimation which he had given to the Governor, &c. of the Bank, that no further loan to the Emperor would be resolved on without previous communication with the Bank, he did not see any reason for these resolutions; that he did suppose they were adopted in a moment of alarm, and that he should consider them in that light."

15. That, both from the general tenor of the said answer and from its particular reference to the substance and matter of the resolutions then communicated to him, he gave the Governors, &c. of the Bank to understand that he was bound by promise to them to negotiate no loan for the service of his Imperial Majesty, nor to make any remittance either to his said Imperial Majesty, or any foreign Prince, under

under any pretence whatsoever, without previously communicating such his intention to the Bank of England; That the Directors so understood him, and that, impressed with that belief they abstained from making any farther remittance on this subject.

16. That nevertheless the Chancellor of the Exchequer for some time prior to February 21, 1796, clandestinely remitted, and did for several months subsequent, clandestinely remit his said Imperial Majesty, and other foreign Princes, large sums of money, in defiance of his repeated promises, and in violation of his solemn engagement with the Bank of England, and consequent upon their resolution of the 14th February.

17. That it appears that if the said advances of the Bank to Government had been paid off when required, or considerably reduced, the Bank would have been enabled to reduce, if expedient, the amount of its outstanding notes; and that such option would have been of essential service to its interests.

18. That it appears from the evidence of the Governor and deputy Governor of the Bank, that if the said advances had been paid off when required, or considerably reduced, the Bank would have been enabled to give more extended aid to the mercantile interest of Great Britain in the way of discount.

19. That it appears that if the advances on Treasury bills had been paid off when required, and as the Chancellor of the Exchequer had promised, and the foreign remittances obtained from, as the Chancellor of the Exchequer had likewise promised, there would have existed no necessity for suspending the due and ordinary course of the Bank payments in cash.

20. That it appears to this House, upon an attentive examination of the evidence reported by the Secret Committee, upon a minute perusal of the correspondence between the Governor and Directors of the Bank of England, and the Chancellor of the Exchequer, during the years 1795, 1796, and 1797; and after a thorough review of the whole circumstances of the case, that the neglect of the Chancellor of the Exchequer in discharging or sufficiently diminishing the amount of the sums advanced to Government by the Bank of England, his perseverance in directing Treasury bills of Exchange, to an amount unexampled to be paid at the Bank, his frequent promises and constant breach of those promises to reduce their amount within the sum of 500,000*l.* and that enormous amount of his remittances to foreign Princes in loans and subsidies, were the principal and leading causes which produced the necessity for the Order of Council on the 26th of February last.

The Earl of *Liverpool* said, that the subject upon which he was now to address their Lordships was attended with difficulty. He did not mean, nor had he strength to enter into great detail as he could not go through it with the accuracy, nor adorn the conclusion of his speech with the eloquence that the noble Duke possessed. He hoped, however, to be able to satisfy them that they ought not to agree to the resolution

which had been proposed. With regard to the constitution of the Committee, to which the noble Duke objected, he would answer that it was necessary and proper that they should be enabled to have before them every thing connected with its investigation on all sides and in every view; as to the conduct of it, could any charge be advanced? Was ever any question refused, was ever any demand for accounts negatived? On the contrary, he could venture to say, that never was the conduct of a Committee more candid, more fair, and more impartial. The noble Duke said too, that a great part of his charge was directed personally against the Chancellor of the Exchequer, yet this culprit had been examined upon oath before the Committee; the first instance, in this country at least, whatever might be the proceedings of foreign tribunals, in which a party accused was desired to give evidence against himself in any Court, or before a Magistrate; indeed a practice of that sort was directly contrary to the radical principles of the law of England. With regard to the Summary alluded to, he was sure that nothing could be expressed with greater candour and modesty than it evinced. That the diminution of Bank notes, according to the noble Duke's position, would encrease the quantity of specie, was absurd; that it might decrease the demand for them was the only view in which the observation was intelligible. But to come more immediately to the subject in discussion, and to the charges which had been made against the Chancellor of the Exchequer. And to elucidate what he had to say on that point, his Lordship desired the Clerk might read the minutes of the Court of Directors in 1795, the answers of the Chancellor of the Exchequer on the Imperial loan in 1795 and 1796, the resolutions of the Committee of Treasury, dated Feb. 11, 1796, and the Chancellor of the Exchequer's further answer. These having been read, his Lordship said, As to the effect of the advances to the Emperor, it appeared, from the evidence contained in the Report, that the Bank had, at different times, made application to the Chancellor of the Exchequer, stating the danger which they apprehended from the continuance of foreign remittances. A direct answer was given to the two first, stating, in reply to their inquiries concerning any Imperial loan, that no Imperial loan should be brought forward. To the third application, which mentioned both loan and advances, the answer contained information that there was to be no loan, but it never was to be considered as implying an engagement

beyond what it expressed. Certainly no such engagement was thought to be incurred by the Chancellor of the Exchequer himself. Mr. Raikes, and others, did not understand this to be an engagement to make no advances. Consequently there was no room for the charge of breach of faith which was urged upon this point.

The noble Duke was inaccurate in the facts which he stated as the consequences of this measure. No bills drawn for these advances were received till July, yet the rate of exchange from October that year, till March following, rose very considerably in our favour. Mr. Giles too admitted in his evidence, that the advances, conducted as they were, could not produce any material effect. The great question, however, is, did the loan and advance to the Emperor produce the effect of disabling the Bank to continue its money-payments? Compare the sums sent to the Continent this war with the sums sent thither in the four last years of the war, ending in 1763. It appeared from the Report, that 14,918,000*l.* had been remitted to the Continent this war; during the period alluded to there were 15 millions. Could this country afford to do this 30 years ago, and in its present situation could the effects of the same measure be so disastrous? Were we less able now to sustain such a charge? On the contrary, from the state of the exports and imports, and every other criterion of prosperity, there was no reason to believe that a remittance to double the amount which had taken place during this war could, in the increased wealth and commerce, and increasing balance of trade in our favour, have been attended with such effects. It was proved that the balance of trade was, for the last four years, at an average of ten millions a year. The whole remittances out of the country had been 32 millions, the whole balance for the same four years of the war had been 42 millions. Was it possible then that the stoppage of the Bank could be ascribed to the effect of the Imperial remittances? To employ the enemies armies abroad for the security of this country, had ever been considered our true policy by the greatest Ministers who had guided the affairs of this country. Lord Godolphin, Mr. Pelham, and the immortal father of the Chancellor of the Exchequer (the late Earl of Catham). Had the Chancellor of the Exchequer in the present state of the country any reason to apprehend danger from pursuing the same measures of policy? Certainly not; and to acquit him of the charge now brought against him did not require that they

they should be bound by the shackles of corruption, but that they should impartially exercise their own judgment. With regard to the effect of the advances by the Bank to Government, he had to observe, in the first place, that a very considerable sum had been stated as advances by the Bank which, in fact, did not belong to them, but was the amount of unclaimed dividends which had been taken for the public service. But the advances to Government were by no means unprecedented in their amount. In the year 1780 they were 10 900,000*l.* somewhat higher than in 1797; in the year 1793 they were only an hundred thousand pounds less. The Bank too must be able to make advances in proportion to the general prosperity of commerce and extent of wealth. Our commerce, however, was nearly double what it was in 1782 and 1783; was it possible, then, that this advance could produce effects so serious as to suspend the money-payments of the Bank? Or in circumstances now so much more favourable, had the Chancellor of the Exchequer any reason to dread the effect that took place? A great part of the cause to which the stoppage and the distress was to be ascribed, he imputed to the encreased demand for discounts arising from a part of the law which he thought required to be altered. It was the Act 12th of Queen Anne, which was thought to prohibit discounts done at more than 5 per cent. The consequences were obvious. In time of peace, when money could be obtained for less than 5 per cent. people were willing to lay out their capital in discounts. In times of embarrassment, however, more could be made by other speculations, and in these such capitals were then employed. This necessarily occasioned a great demand for discounts; and when 12 per cent. could be made of the money which could be raised by discounts at 5 per cent. the temptation to raise it in this manner could easily be conceived. He had conversed with the late Lord Mansfield upon this subject, who entirely disapproved of the law of the 12th of Queen Anne. Indeed he saw no reason why money, like every other commodity, should not be allowed to find its own level and its own price. At Hamburgh he had been informed the advantages of open and unrestrained transactions upon this head were greatly felt. To the bad effect of the limitation upon the head of usury in this country, he was inclined to ascribe the situation in which the Bank had been placed, and the depreciation which Government securities experienced. This evil was likewise to be imputed in.

a great measure to alarm. Country Bank notes were the chief circulation in the country, and these, in the moment of alarm, produced a run upon the Bank of England, the reservoir of the cash of the kingdom. What the effect of alarm would be it was easy to conceive. The public circulation of the kingdom was about 34 millions; it was not to be expected that cash to the amount of 11 millions, the amount of Bank notes, was constantly to be kept. Under an alarm producing a demand for cash upon the scale of a very extended paper circulation, it must be impossible that cash could be obtained to answer the general demand. He recollected the effects which, in different instances, such alarms had produced in 1764, in consequence of great bankruptcies at Amsterdam, Hamburgh, &c. the failure of the Ayr Bank, and the difficulties of the country banks in 1792. Three of the instances that occurred to him happened in times of profound peace. This alarm then was to be considered, in a considerable degree, as the cause of the difficulties of the Bank for specie. To impute it to the effect of the gradual advances made to the Emperor upon the immense circulation of this country, was altogether absurd. The great capital lately laid out in canals, inclosures, and other improvements, proved at once the extent of the commerce and wealth of the country, and shewed how such operations might, in times of embarrassment, press upon the general circulation of the country, and encrease the difficulty which was before experienced. In the former alone nearly eight millions had been employed, and he should refer their Lordships, when he mentioned the capitals invested in public undertakings, to an advertisement which then appeared in the newspapers for raising no less a sum than 800,000*l.* for the improvement of the port of London. His Lordship concluded a very able speech by appealing to the House, whether the application of such large capitals did not press very severely on the circulation of specie, and whether it was not in reality a great cause of the distress complained off? He then moved the previous question.

Lord Hay (Earl of Kinnoul) declared that he thought the noble Earl, who preceded him in the debate, had so fully answered the noble Duke, that little could be added to his forcible arguments; but he could not be content on the present occasion to give a silent vote. In his opinion, much of the mischief that had of late befallen us had originated from our unexampled prosperity, which had induced a spirit of enter-

enterprize and speculation unknown to former times. This spirit had much prevailed, and had increased daily since the period of the last peace in the year 1783. And when by any sudden accident those speculations were destroyed, it produced a momentary stagnation, and effects such as we beheld. To know the exact situation of a country it was not merely necessary to know its present situation, but also to compare it with what it formerly was. His Lordship then entered into the detail of the Yorkshire manufactories for cloths, by which it appeared, that the trade had been in a progressive state of increase for the last twenty-seven years. His Lordship alluded also to the country Banks, the failure of which, he thought, was the grand cause of the Bank stopping payment.

The Earl of *Guildford* downed that he had not till lately turned the subject much in his mind, but though he had but lately turned his thoughts to it, he found himself obliged to controvert some of the opinions of a person of the noble Earl's talents, knowledge and experience upon questions of this nature, and the opinions of a Gentleman of such high respectability and character as Mr. Thornton; and of another Gentleman, likewise of great respectability, but whose speculations, if he was rightly informed, had not always proved well founded. Before entering on the question, he would say a word as to the act of Council itself. Whatever might be the necessity of continuing the order in Council, he doubted the necessity of originally issuing it. He thought that the Bank might have been enabled to go on, or if obliged at last to stop, it would have been better that it had shut up the doors and shewn to the public, that its stoppage arose from its own want of cash, instead of its being proved that this event arose from the wants of the Government. Extraordinary and extravagant as the suggestion might appear it possibly might have strengthened their future credit, or at least not injured it so materially as he feared, the order of Council would in the end be found to do. The Bank themselves had expressly declared that they were of opinion that the Imperial loan had produced the scarcity of their cash, and the Chancellor of the Exchequer had no reason to distrust their authority. The advances had effected the rate of Exchange, and from experience of the past, there was every reason to apprehend the bad effects of such drains. The Bank had repeatedly demanded of Government repayment of their advances. It was one of the resources to which they trusted for extricating them from their embarrassment, and they had been deceived by the Chancellor of the Exchequer. Had his promises

mises been kept, they would have been enabled to go on. The advances on Exchequer Bills was most objected to, and when the wise regulations of our ancestors, by which the advances of the Bank were restrained, were repealed by a surreptitious clause in a Loan Bill, the evil became more apparent. That the Loan and advances to the Emperor, and advances to Government were the causes of the stoppage of the Bank, could scarcely be doubted. It had been said by a great man, the author and approver of the war, (Mr. Burke), that the votes of Parliament were contrary to their opinions. He hoped they would rescue themselves from this imputation, and shew that their votes were regulated by their opinions. It was impossible to doubt the cause of the catastrophe of the Bank. They should consider whether they could avoid a decision by supporting the previous question which he admitted was a fair way of getting rid of resolutions which were some of them truisms. At a time like that party prejudice and partiality should be sacrificed to their own dignity, and to the public interest.

Lord Auckland said, that the noble Earl who spoke second in the debate, had discussed all the principal points in question, with so much detail and perspicuity, as to make it unnecessary to revert to them. He would therefore confine himself to some incidental remarks.

The noble Duke had begun his speech with expressions of indignation, that "men liable to impeachment if there was" "no necessity for the measure of the 26th Feb. had been appointed lords Committees to investigate that necessity." It was for the present a sufficient answer to the objection, that it was not applicable to the Committee whose report was now under discussion. But it became material to contrast this delicacy of judicial principles with the noble Duke's subsequent expressions, and with the conduct which he had pursued. The noble Duke had proceeded to state, that "he should charge" "personally several acts on the Chancellor of the Exchequer" "highly disgraceful indeed;" and that "hardly one sentence" "could be expunged from the papers on the table without" "expunging a charge against the Minister." And yet the noble Duke had thought proper to call that same Minister before the Committee, and to examine him upon oath as to several points on which the supposed charges are founded. (Lord Auckland here stated some of the questions alluded to, when he was interrupted by the Duke of Leeds, who desired that the clerk might read the answers also; which having been done, Lord Auckland proceeded to say, (that the answers of the Chancellor of the Exchequer had been given without reserve

serve and without reluctance: and if he (Lord Auckland) were now to be asked, why he, as a member of the Committee had acquiesced and concurred in such a proceeding, he would readily reply, that having from the first no doubts as to the purity, propriety and wisdom of the Minister's conduct in the transactions with the Bank, he felt no disposition to object to interrogatories, which might tend to throw light on that conduct, and on the whole business connected with it.

He would now entreat the attention of the House to a few observations on the principal heads of crimination, which the noble Duke had brought forwards; and first with respect to the Bank advances to Government. The magnitude of those advances had been strongly reprehended: they had not however been grater than in some periods of the late war: they had not been secret; they had in every session been subject to parliamentary discussion. They had been occasioned by expenses frequently impossible to have been foreseen in the wide and complicated services of a war just and necessary; but at the same time highly difficult and dangerous. A fair and attentive perusal of the communications on this subject between the Directors of the Bank and the Chancellor of the Exchequer would shew, that there does not exist even a pretence to impute to the latter either duplicity of conduct, or ambiguity of language, or a culpable want of foresight. Still however the magnitude of the Bank advances was open to some doubts which might deserve consideration.

Are those advances an improvident mode of borrowing for the public service, provided that they can be furnished without occasioning a mischievous drain of cash from the Bank, or a prejudicial restriction of commercial discounts? The answer was obvious and indisputable. He would suppose the average amount of the Bank advances to be ten millions sterling. The interest payable will be 500,000*l.* a year. Let it next be supposed that a loan is created to pay off the whole. The charge of such a loan will not be less than six per cent. or 600,000*l.* a year; to which must be added one per cent. more for the sinking fund: and thus taxes must be found and brought forwards to produce 700,000*l.* a year in the midst of the general pressure of the war; and in the war price of the funds, a capital of twenty millions must be given for the ten millions borrowed. It was superfluous to dwell further on the detriment resulting to the public from such an operation.

Have the Bank advances to Government contributed to the restriction of commercial discounts? He was willing to allow that in some degree, they may have had that effect; but certainly

tainly in a small proportion to the amount of the advances, which are to be considered as a large discount made to one discountor, and thereby distributed through the general channels of circulation to bankers and to others, who must otherwise have been supplied by discounts immediately from the Bank. Mr. Henry Thornton, of whom and of whose evidence it was difficult to speak in terms of adequate respect, had explained that matter with great accuteness. Farther light had been thrown upon it, and upon the whole subject of discounts, by the very able and intelligent evidence of Mr. Boyd. In point of fact the discounts to the Merchants were occasionally at the highest, when the advances to Government were also at the highest. In one sense only can such advances be more inconvenient to the Bank than commercial discounts: The latter, whether in cash or by bills, are more immediately under the command of the Bank, being returnable at periods never exceeding sixty-three days.

Would the drain of cash, and the consequent failure at the Bank have been avoided, if the advances to Government had been less? From the fullest conviction of his mind, he could decide that question in the negative. Some of the Directors, indeed, seemed to maintain a different opinion; but their opinion was founded on the supposition of contracting the dealings of the Bank, and the issue and circulation of Bank Notes within limits, which (even by the avowal of those Gentlemen) would have occasioned a general explosion and confusion in all the commercial interests and transactions. Thus Mr. Giles had stated to the Committee of the Lords—That “In February, 1797, when the Bank Notes in circulation were (only) 8,500,000*l.* if 3,500,000*l.* of the Government advances had been paid off, the Directors would have thought it useful to reduce the Bank Notes in circulation to 5,000,000*l.* rather than have risked the large drains of cash that ensued.” He allowed at the same time, That “the quantity of Bank Notes in circulation at that period was lower than in many former periods of the last five years, owing to the drains of cash, and to the restrictions in discounts which the Directors thought proper to make.” He farther admitted, that “a restriction of the Bank Notes in circulation to 5,000,000*l.* would have caused a convulsion and distress in the extensive commercial concerns of the kingdom.” But he added that “Of two evils, the Directors would have taken the least.” The evil to be incurred was the general convulsion of commerce (and of public credit) the evil to be avoided was the temporary embarrassment of the Bank. Lord Auckland was willing to believe that such expressions

pressions had been unguardedly used; they certainly seemed to imply, that it had been in contemplation to reduce the Bank Notes, in circulation to the paltry amount of 5,000,000*l.*; paltry certainly, when compared to the exigencies of this great and rich Metropolis. It was the precise sum which previous to the late troubles, the Caisse d'escompte at Paris had kept in full circulation for the interior concerns of that city. The noble Duke in his speech had seemed to approve these doctrines of Mr. Giles, and had adverted to positions of a similar kind, stated by Mr. Winthorp, in his evidence before the Committee of the House of Commons. "As an individual Director (said that Gentleman) "I have for the last two years constantly recommended the diminishing both our advances to Government and our discounts, so as at all events (short of an universal run) to secure the safety of the Bank. "I thought the Bank ought never to be in danger." It might be sufficient to oppose to such doctrines, the plain and convincing language of the present respectable Governor of the Bank (Mr. Raikes): that Gentleman on being asked by the Committee, whether, if the repayment of advances had been made in the manner and at the time abovementioned, he would have advised the Bank to restrict their circulation of Bank Notes to 5,000,000*l.* answered, "By no means; such a restriction was never in idea, nor could the circulation of the country do without such a sum."

And surely it would have been a gross and criminal abuse of the monopoly enjoyed by the Bank, if the Directors had restricted their dealings at the period when the increased demands of commerce, of manufactures, of public improvements, of public credit, and of the state, were all calling for an extension of these dealings. Was it possible for the Bank, in such a moment, to have acted as an insulated selfish establishment, which is to take care of itself only, regardless of every consideration that may affect the rest of the kingdom? If in any respect such principles operated, as to discount, or notes in circulation, or advances on loans. They were *pro tanto* causes of the depreciation of the public securities, of the embarrassments and distrusts which took place in the general circulation, and of the other evils which have since followed.

The next charge made by the noble Duke related to a promise asserted to have been given by the Chancellor of the Exchequer to the Bank, not to make the remittances to the Emperor, which had taken place with some degree of secrecy in 1796. But surely the Directors of the Bank had no right to call upon one of the King's Ministers for a specific engagement.

ment, as to the use to be made of a sum given by a Vote of Credit in Parliament for the purposes of the war. The Directors would have strangely misapprehended their own duties if they had made any such attempt. What then were the facts? The Directors intreat the Chancellor of the Exchequer to make no new loan to the Emperor. His answer was, that no new loan should be proposed without their being previously apprised of it. A month afterwards they again apply to him, not to propose any farther Loan, "or to make advance of money to the Emperor." His answer was, that "no farther Loan should be resolved on without previous communication with the Bank." Here then two requests are made to him: he gives an answer to the one, and preserves an entire silence as to the other. Nothing more is said as to the other request till five months afterwards; when the Directors of the Bank discover that private remittances were beginning to be made to the Emperor. The Governor and Deputy Governor state in their evidence, that they then mentioned their suspicion to the Chancellor of the Exchequer, who gave no answer, but by his countenance seemed to assent to it. They both agree, that if the remittances were necessary, it was beneficial to the Public to make them secretly. And Mr. Raikes adds, that "He did not look upon it, that the Chancellor of the Exchequer thought himself obliged to consult the Bank on advances to foreign powers of 50 or 100,000*l.* at a time." Such was the plain state of a transaction which is now represented as a scene of deceit and perfidy! It was not immaterial to add, that under the mode of remittance adopted, the Exchanges rose in favour of this country, and continue to be in favour of it.

The noble Duke quitting these specific charges, had indulged himself in some general remarks on the expences of the war. The answer was obvious; but it would be a task at least superfluous, to recur to old demonstrations of the justice and necessity of the expensive struggle in which we are engaged. Declamations and unreasonable clamour on the truisms, connected with loans and taxes, might be raised in corners; but the mind of the noble Duke was surely much superior to such considerations. In the mean time, whatever may be the result of our several continental alliances, it is a subject of fair pride and of consolation (and will be honourable to the country in future history) to have maintained a generous and unshaken faith to our allies even to the last hour.

Lord Auckland proceeded to say, that he would not attempt

tempt to develop the causes of the late drain of cash from the Bank: those causes are amply detailed in the printed report of the committee. The investigation had made a most satisfactory impression on his mind. It had convinced him, that the national wealth is at present indisputably greater than it was at the commencement of the war. He wished to be understood as speaking of wealth and not of money. The latter may be paper or metals, or any other substance, according to the common consent and convenience of the nations which employ it; but it is the circulating sign only of wealth, and is not wealth. With respect however to cash and bullion, he saw no reason to believe that there is less at this hour in the kingdom than there was four years ago. The evidence now before the House would shew, that the general demand for cash had increased, and must necessarily have produced a drain from the Bank. Alarms and other impressions had led the country Banks to restrict their notes, and had induced individuals to make hoards of cash. In a kingdom so populous and so opulent as this, a general call for small sums will create a rapid demand to a great amount, and beyond the immediate power of the National Bank, which is also a hoard; but with this distinction, it is an accessible hoard. From these considerations, from the particulars stated in the minutes of evidence, and from remarking the periods of the different drains of cash from the Bank, it was a fact nearly capable of demonstration that the coin of the kingdom had not been carried away. A reference to the table of exchanges would shew to their Lordships, that during the period from September 1792 to March 1793, cash and bullion could not be sent out of the kingdom without great loss to the exporter: it might be assumed, therefore, without fear of contradiction, that none was at that time sent out of the kingdom: and yet, during that period, the drain of cash from the Bank, occasioned by some alarms and some commercial difficulties, was greater than at any subsequent period. It would also appear from the table of Exchanges, that during the twelve months from February 1796 to February 1797, when the drain of cash from the Bank prevailed with such alarming rapidity, the course of Exchange was too high for the export of bullion; and in the latter part of the period, had been even high enough to bring it in.

Having now established that the cash drawn from the Bank had not been sent out of the kingdom, but that it had been applied partly to the increased demands of commerce, ma-

nufactures, internal improvements, and the enlarged scale of general expence, and partly to the hoards of individuals who had felt alarms and distrust; he wished their Lordships to advert to the consolatory inference of the accumulating wealth of the kingdom, which had enabled us to supply all the foreign remittances for the purposes of the war; and yet at this hour to have the course of exchange more favourable than it was at the commencement of the war. It might be collected from the papers upon the table, that the extraordinary remittances to foreign countries and to our distant settlements in the last four years, had not been less than nine millions annually, beyond what had been usual in a period of peace: in order to preclude cavils, he would state it at ten millions annually. On the other hand it appeared from the evidence of Mr. Irving, that the balance derived from our commerce, and from our East and West India settlements and fisheries, had been considerably more than equal to the drain above stated. The explanations given by Mr. Irving were so accurate and so intelligent, that they required no collateral support; but there happened in this instance, to be a circumstance of irrefragable testimony in their favour. All the foreign remittances had been discharged; the current balance due to the country upon its long credit, was increased by our increased commerce; and at the close of so momentous an operation, the course of exchange was so high, that money was now flowing in a full tide into the kingdom. But what was the farther inference? the foreign remittances of the current year, by the actual circumstances of the war upon the continent; by the measures taken to reduce the expences in our islands; and by the bountiful supply of grain which providence had given to us, may be considered as reduced to the extent of five or six millions: and yet the current balance of our commerce remains without probable diminution. On the contrary there is reason to believe, if we are true to ourselves, if we have the sense and spirit to see and to maintain our own essential interests, that our commerce will this year be more flourishing than ever.

It was with reluctance that he quitted this part of his subject. He might perhaps find occasion to revert to it in the present session. He was solicitous, that the country should know its own means and resources. A just confidence in those means and resources, with energy, order, and steadiness in the public conduct, could not fail to
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elevate us above all present difficulties, and to lead to the attainment of a secure and honourable peace.

The Duke of *Leeds* rose to apologise to the noble Lord for having interrupted him; and although it had not been his intention to have taken any part in the debate, as he was upon his legs, he must say, he felt the utmost satisfaction, and congratulated the House on the favourable description of the situation of the country, given by the noble Earl who spoke second in the debate, and the noble Lord who spoke last. He must, however, be allowed to say, that it was a matter deeply to be lamented, that there should be any misunderstanding or dispute between the Government and the Bank. He gave this as the opinion of a simple individual; for such, perhaps, he might be thought in every construction of the words. He had no party connection, nor had he ever been, or ever would be factious, but was a sincere well-wisher to his country, and would support those who would serve it best. Unconnected also as he was with his Majesty's present Ministers, he had a great personal respect for most of them; but he must think it a melancholy moment for his country, that the discussing of the causes of the necessity for issuing the order of Council, should have called forth such arguments as he had heard; and that special pleading, as it were, should have been found necessary in both Houses of Parliament to defend the issuing of the order; and surely it was not a little extraordinary, and somewhat strange, that the noble Duke should come forward with what might be considered as an opposition motion, grounded upon the very documents that afforded those who opposed it a fund of reasoning against it. He thought the time of Parliament ought not to be wasted in listening to special pleading; but as the country was confessedly in a very difficult situation, their united efforts should be employed in endeavouring to extricate it.

Earl *Strange* (Duke of Athol) said, he had read the reports with all the attention he was master of, and considered it as affording a clear, satisfactory, and conclusive evidence, that no blame was ascribable to the Chancellor of the Exchequer for his conduct with regard to the Bank; and that the necessity for issuing the order of Council, arose from various unavoidable causes. He had listened to the arguments of the noble Duke that day, and nothing that he had heard from him had in the smallest degree shaken or altered his opinion. Indeed, if that had been the case, the very
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able and intelligent speech of the noble Earl who moved the previous question; would have convinced him, that the opinion he had formed from an attentive perusal of the report was well founded, he should therefore vote for the previous question, and not for the noble Duke's resolution which was a *trueism*, unnecessary to be voted; but before he sat down, he could not help expressing his feelings at the violent language of the noble Duke in the conclusion of his speech, a sort of language which he was persuaded the noble Duke in the moment of cool reflection would himself admit to be highly improper, and such as that House ought not to have heard. He had been himself so much hurt at the opprobrious expressions applied to him and other noble Lords, that he had taken down the noble Duke's words at the time, and was going to call him to order. He was glad now that he was cooler, that he had not given way to his warmth, but was he to be termed "a slave to corruption and venality," because he had the misfortune to entertain political opinions different from those of the noble Duke. The noble Duke would not he was persuaded have used such language in any other place, nor would he had have thought himself warranted to use it in a private company, in which he was at the time present. Surely therefore the same regard, decorum and respect was due to their Lordships in general, who were free to entertain whatever political sentiments their own judgments directed.

The Duke of Bedford rose to reply to the arguments that had been urged against his resolution. With regard to what had just fallen from the noble Earl near him, he assured that noble Earl he meant no personalty to him or any other noble Lord; when he did intend to be personal, he would take care to make himself clearly understood. On the present occasion he had said at the conclusion of his speech, that it might be thought he exceeded the bounds of moderation, but that he was unable to suppress his feelings, he felt it to be his duty to deplore an acquiescence that could not be justified by reason, and that was so fatal to the country. The Duke said, he had before been charged with having done all the mischief at Portsmouth, and he now found he was charged with having arrested the arm of justice, and saved a culprit from trial and punishment, by calling upon the Chancellor of the Exchequer to be examined as a witness. He referred again to the evidence of Mr. Giles, Mr. Raikes, and Mr. Bosanquet, to shew that they clearly understood the Chancellor of the Exchequer, that
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neither loan nor advances were to be made to the Emperor without their previous knowledge, and he re-afferted that for the whole of the last two years the declarations that they made, and the warnings they gave the Chancellor of the Exchequer, ought to have determined him from the drain of cash from the Bank, which had brought on the calamity of the stoppage of payments.

Lord *Grenville* in a most able speech and of considerable length contended that if the Chancellor of the Exchequer had given any assurance to the Governor and Directors of the Bank, that no advances should be made to the Emperor without their previous concurrence, that it would not have been what the noble Duke had called it, the government taking the direction of the affairs of the Bank of England into their own hands, but it would have been in fact a surrender of the functions of Government into the hands of the Bank. Nothing so preposterous however was done. The Chancellor of the Exchequer might perhaps have overlooked the word *advances* in the application of the Bank, with respect to the knowledge of any new loan, and answered them generally that he should communicate the matter to them without its being ever made a question that government should be in any degree restrained in private remittances to the Emperor, or other foreign power; and accordingly Mr. Raikes said in his evidence, that it was never meant of small sums to the amount of 50 or 100,000l. The whole of this evidence also, it was to be recollected, was made up of minutes of conversations made by the Governor and Directors; and he doubted whether such a report of a gentleman's words, which had never been submitted to him, ought to be received as good and substantial evidence. There was no one fact to prove that the advances to the Emperor had either occasioned a run upon the Bank, affected the Exchanges, or injured the credit of the country. The Exchange had risen in our favour during the advances; and taking the public circulation, as a noble Earl had stated it to be, at 4,000,000l. the private paper must be at least double that sum, so that to imagine that a remittance of between 900,000l. and 1,000,000l. could affect the country out of a circulation of 100,000,000l. was ridiculous. His Lordship said, there was something so monstrous and extravagant in the proposition of a noble Earl (Lord Guildford), that the Bank should by way of increasing their credit, on a given morning shut up their doors and end their concerns, that he could

could not suppose he was serious in suggesting it; because it was evident that such an extraordinary step would end in the subversion of the Government and the ruin of the country. Having taken notice of several of the most essential arguments advanced in support of the noble Duke's string of motions, his Lordship said, he could say a great deal upon a variety of other subordinate points, which were extremely easy to be refuted; but considering the late hour of the night, and the very able and convincing arguments of his noble friends, the noble Earl him (Lord Liverpool) and his other noble friend (Lord Auckland), he did not deem it necessary to trespass longer on their Lordships time; he would only detain them by observing, that the noble Duke was, he believed, the first noble Lord, who had ventured to attack the veracity of a report of a Secret Committee appointed from among themselves, and charge it with being drawn with a view designedly to conceal the truth, to deceive and delude the House, and to screen the guilty from censure and punishment. No man had before presumed to treat a report of a Committee of noble Lords of the highest rank, and of the first character, with so much indecency. His charges however recoiled upon himself. With regard to the violent language, the gross invective and the extraordinary expressions with which he had loaded the conclusion of his speech, it would be unnecessary for him to say much on that head, as the noble Duke had received a deserved and severe reproof already from the noble Earl (Lord Strange) upon the same bench, but he must tell the noble Duke that however fit such epithets and such language might be for his audiences in Palace-yard and elsewhere, there were extremely unfit to be uttered before their Lordships assembled in Parliament, or indeed in any other assembly of honourable men. It was not a new thing for the noble Duke to assume it as an undeniable fact, that all the talents, all the judgment, all the truth, all the integrity, all the virtue, all the public spirit, and all the patriotism to be found in that House and the House of Commons was confined to himself, the six or eight noble Lords who acted with him, and about fifty or sixty gentlemen in the other House of Parliament, and that the majority of both Houses, and indeed the majority of the whole body of the people of England who supported the war, were devoid of all principle, actuated by motives that were base and mean, and the abject and venal slaves of his Majesty's Ministers.

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The Duke of Bedford said, that possibly the noble Secretary of State might think he had reproved him severely, at least from his voice and manner he seemed to think so. The noble Secretary however was mistaken, he had not felt it to be a severe reproof, and as long as he existed, he should hold it his duty to declare his sentiments on public matters with freedom, equally regardless of the noble Secretary's reprehension, or his misrepresentation. It was no feature of his character to arrogate to himself any peculiar title to the confidence of his country; but he should ill deserve the claim either of honesty or spirit, if he should be deterred from the discharge of his duty by any considerations of respect for the feelings of the Secretary of State. The language he had held, and the terms he had applied to the support which Ministers had received in that House and elsewhere, through the whole of their criminal and disastrous career, was dictated by an imperious sense of his duty; and he would always be ready to maintain it, and so far was he from conceiving that there was no virtue in Parliament, he thought there was a great deal in that House, and a great deal of virtue in the House of Commons. There was also a great deal of virtue in the people, as was evident from their general disapprobation of the measures of his Majesty's Ministers.

The Earl of Guildford rose to speak in explanation of one or two points in his former speech, and in particular with regard to what he had said of the Bank shutting their doors, which he obviously had not thrown out as a serious proposition.

The previous question was then put, on each of the series of resolutions, and carried in the negative.

HOUSE OF COMMONS.

MONDAY, May 15.

Mr. Douglas reported from the Committee appointed to consider the petition complaining of an undue election for the borough of Maidstone,—“That *Oliver de Lancey, Esq.* the sitting member, was duly elected; and that the petition of certain electors against his return, and the opposition to the petition, were not frivolous or vexatious.”

The Loan Discount bill was read a second time.

Snipham, Barnby, and Ditton Inclosure bills, were read a third time and passed.

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The order of the day on the bill for granting additional duty on stamps, was deferred to Thursday.

PARISH LECTURERS.

Mr. Alderman *Lushington* having obtained leave, presented a petition on behalf of the Evening Lecturers in the metropolis, stating that their present subsistence was from voluntary subscriptions and parish rates, the payment of which could not be enforced by law, that they ran the hazard of being left without support, praying that the House would take their case into consideration, and make for them such provision as to its wisdom should seem meet.

Mr. *Baker* said, however proper it might be considered, that the petitioners should have the relief they solicited, it ought not to be granted if it was to encrease the burthens on the parishes.

Mr. Alderman *Lushington* said, that the intended regulations would not be any additional burthen to the parishes. The provision made for the Lecturers was at present very uncertain, and it was only intended that that provision should not depend altogether upon the will of the parishioners.

Mr. *Baker* wished to know whether the regulations proposed would have the effect of burthening the parishes? He had no objection to the increase of their salaries, but he did not think it proper that any additional burthen should be thrown upon the parishes for this object.

Mr. *Mainwaring* had no objection to increasing the petitioners salaries, provided the addition was not made out of any parochial funds; if it was, he would oppose it, as they were already much too oppressive.

Mr. *Lushington* said, he was convinced that when the measure came to be discussed in a Committee every objection would be done away.

Mr. *Wilberforce* said, it was certainly of advantage to the interest of religion that the situation of its Ministers should be rendered independent by fixed stipends. Whatever grounds of objection there might be to the measure, a sufficient opportunity of discussing them would occur in the Committee.

The petition was referred to a Committee.

The bill for allowing an additional *bonus* to the subscribers to the late loan for 18 millions, was read a second time and ordered to be committed to a Committee of the whole House on Thursday next.

WASTE

WASTE LANDS.

The bill for inclosing the Waste Lands in England was read a second time, and committed.

Sir *John Sinclair* moved, that the bill for enabling persons to enclose certain waste lands without applying to Parliament, be read a second time.

Mr. *Powis* said, he thought both this and the preceding bill very objectionable. He stated this now, that his being present at the second reading without opposing it, might not give rise to the supposition that he would not oppose the bill in its future stages.

The bill was read a second time, and committed.

INDIA COMPANY'S OATH BILL.

Mr. *Metcalf* moved the order of the day for the second reading of the bill to empower the Directors of the East-India company, to administer certain oaths to owners and commanders of ships, &c. in their service.

Mr. *H. Browne* opposed the principle of the bill, upon the general ground of impolicy, in multiplying oaths unnecessarily, &c.

Mr. *Wilberforce* was against the bill, on the ground that it proposed to multiply oaths, which were already too frequently and very improperly administered in this country. Independent of the immoral tendency of unnecessarily multiplying oaths, he thought the present bill particularly objectionable, in proposing to enact that persons should swear they had no interest in cases where it was evident they must have an interest; and above all, because no punishment could be inflicted for perjury.

Mr. *Fox* said, he had some times entertained the thought of offering to Parliament some general regulation upon the subject of multiplying oaths. He thought that no man ought to be made to take an oath, unless where the taking of a false one were attended with penalty.

Mr. *Metcalf* explained, and Sir *Richard Hill* said a few words against the bill.

The motion for the second reading was negatived.

Mr. *Hawkins Browne* then moved, that the bill be read a second time that day four months.—Ordered.

SLAVE TRADE.

Mr. *Wilberforce* rose to make his promised motion for the abolition

abolition of the Slave Trade. He said, that as the subject was one which had so often engaged the attention of the House, he should only be wasting their time were he to offer any arguments to induce them to agree to the motion he had to propose. Were the House once brought to a sense of what it owed to humanity, to justice, and to religion, no arguments from him would be necessary in order to convince them of the propriety of abolishing this horrid traffic. He lamented that he saw so thin an attendance upon a question of such importance. It was astonishing that this subject should have been so often agitated without producing the effect that had been desired. It appeared that in proportion as the understanding of the House had been enlightened with regard to the practice of this horrid trade, they had suffered their hearts to be hardened against giving relief. He alluded to the resolution of the House for abolishing the Slave Trade, which, however, they had not thought proper to enforce; a circumstance which he was afraid would, to foreign nations, appear a disgrace to the British character. He therefore called upon the House, as they valued their character and their honour, to atone for this neglect of their duty. An honourable Gentleman had brought forward a motion before the last recess, which he thought calculated to promote the amelioration of the condition of the slaves in the West-Indies. He begged the House to consider that motion which they had already agreed to. The Address to his Majesty proposed that Colonial Assemblies should pass laws for improving the situation of the slaves; but any regulations made by the West-India Proprietors must be nugatory until they have an interest in encouraging marriage among the Africans, and that kind of domestic happiness which could alone increase their population in the West-Indies, and render the importation of them unnecessary. Nothing but the abolition of the Slave Trade could introduce this principle of interest. The planter would then be convinced that he must be ruined if he did not take care of those by whose labours he was enriched. He had heard that since the subject of the Slave Trade was agitated in that House, the importation of slaves from the African coast had diminished. This diminution, he was convinced, must result from the greater attention which was now paid by the planters to the promoting of marriage among the slaves. The present question had been often brought forward; and at periods when the country was under very different circumstances. Prosperity was
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said to harden the heart; but if there were any who thought the present a time of difficulty, let them recollect, that whatever their feelings of sorrow may be, they are far short of what they themselves are daily producing on the coast of Africa. All thinking men out of that House were surprised that the Legislature should sanction such proceedings. The continuance of the Slave Trade could only be supported by intolerable selfishness. Every thing in this country had been made to yield to a commercial spirit. He thought the country was now suffering from that spirit having been carried too far. Thus Providence often avenged its cause. He concluded by reading the two following motions:

"That leave be given to bring in a Bill for the abolition of the Slave Trade in a time to be limited."

"That the House do now resolve itself into a Committee to consider of the above motion."

The *Speaker* put the question on the last motion.

Mr. *Ellis* opposed the motion. He said no new arguments had been used to induce the House to agree to it. If the Slave Trade were abolished, an illicit traffic would be established in the stead of the legal and well regulated trade which at present existed. It was improper to argue that the Slave Trade was injurious to Africa. Gentlemen had not sufficient knowledge of facts to prove that it was disadvantageous to that country. If the vagrants who committed depredations in this overgrown metropolis were to be periodically exported; he believed few would consider that a great national calamity. Perhaps Africa received the same kind of benefit from the Slave Trade as this country did from Botany Bay.

Mr. *Hobhouse* supported the motion. According to his judgment there could be nothing so infamous as a trade in human blood. It was that sort of traffic which admitted of no modification. It was as inconsistent with sound policy as it was repugnant to humanity and justice, nor did he see any reason why those who embarked in it should have any indemnification for their losses; for every person who embarked in any trade did so with all the hazards that belonged to it, and the Legislature had a right to put an end to that trade for the general good. He was perfectly convinced of the practicability of the abolition of the African Slave Trade, and therefore he should heartily support the motion.

Mr. *Martin* did not consider this proposition as a mere matter of commercial experiment, but as an act of eternal justice,

Mr.

Mr. *Stowell* spoke at some length against the motion; by adopting which, he said, the House would act inconsistently with the resolution it had come to a short time before the Easter holidays, by which the assemblies of the West-India Colonies were to be addressed on the subject of improving the situation of the slaves. If the African trade was abolished by England, it would be immediately taken up by Spain. Indeed, that Court was at present encouraging both its own subjects and foreigners to introduce negroes from Africa into its colonies in the West-Indies, and from this source the British islands would be supplied. The trade would certainly cease in the course of time; but that could not be until all the lands belonging to the planters were in a state of cultivation.

Mr. *W. Smith* urged very forcible arguments for the abolition of the trade. He observed that it had continued for upwards of a century and a half in the island of Jamaica, which was not yet above half cultivated, and if we were to go on with the importation of negroes until the whole was cultivated, another century and a half would be taken up in the gradual abolition. In short if the Slave Trade was not to cease till all the waste lands of the colonies should be cultivated, the abolition would never be perceived even by our remotest posterity. After taking notice of the inefficacy of the provisions already made for the amelioration of the slaves, he concluded with supporting the motion.

Colonel *Gascoign* opposed the intended bill. He also stated that the merchants, who had been stigmatized with the epithets inhuman, cruel, &c. conducted themselves in a very different manner? for at Liverpool, a meeting was called in which it was resolved, that no ship should be allowed to clear out, whose captain and owners had not entered into an engagement under a penalty of 1000l. that they would fulfil every part of the act which had been passed for the regulation of the Middle Passage, even after that act had expired.

The *Chancellor of the Exchequer* denied that the motion then before the House was inconsistent with the resolution which had passed some time before. On the contrary, they both led to the very same end, though they might differ in the means of accomplishing it. The motion of his honourable Friend looked to a gradual abolition, which would be forwarded by any internal regulations which should be adopted by the Colonial Legislatures, in consequence of the Address of that

that House. With respect to waiting till all the lands in the Colonies were cultivated, it was the same thing as founding a new Negro colony, and the object of abolition would never be accomplished by waiting for such an event. In that very statement he found an admission, that in some parts of the Colonies which were well cultivated, the necessity of importation did not exist. A circumstance he was glad to hear, because by that means it appeared that there was no want of population in the old and well cultivated Colonies. With respect to an act of the British Parliament not being able to prevent smuggling, he would ask if the example of this country could do nothing? But if the House thought the trade was one which, on the principles of justice and humanity ought to be put an end to, so far at least as not to be sanctioned by Parliament; would they, because it could not be prohibited *in toto* hold out encouragement to it? Was there no difference between a prohibited and a protected trade? It was to the encouragement of Parliament that the trade owed its existence; it was only by the discouragement of Parliament then, that it must be discontinued. Under this view of the subject, he must vote as he had done on every former occasion for his honourable Friend's proposition. He would just add, that as far as the present was a question of policy, he conceived that the future safety of the islands themselves was a sufficient reason to induce Gentlemen to vote for the abolition.

Mr. Bryan Edwards strenuously opposed the motion, and hoped that the hon. Mover, who had so often declared, that the vengeance of heaven would light on those who supported the trade, would not on that occasion deal out damnation to him or his friends. He did not suppose the honourable Gentleman capable of bearing false witness against his neighbour, but he ought not to have listened to the false and scandalous stories of those who did so. If he was desirous of exercising his humanity; he might meet many objects in this country; and in the metropolis, he had nothing to do but walk the streets, and he would even meet a race of blacks as worthy of his benevolent attention as those in the West Indies, namely, the chimney sweepers. The proposition of the honourable Gentleman was likely to produce the greatest mischiefs. The government of France had been destroyed by that country having interfered in the concerns of America. A Bill for the abolition of the trade would emancipate the negroes. It would do more; it would cause them to rise in insurrection. The rebellion in St. Domingo, as he could assert from his own knowledge,

ledge, was owing to the measures that had been agitated in France by those who called themselves *Les amis des Noirs*, and this ought to be a serious lesson to the House.

Mr. *Canning* spoke warmly in favour of the motion

General *Tarleton* admitted that if the question was, whether the trade should now commence, he should be against it, but that was a very different thing from saying that it should now be abolished. He thought the time for doing so, or attempting it, was extremely dangerous. Many reforms were necessary but the West Indies was not the place where reforms ought to begin. He should vote against this attempt to abolish the trade.

Sir *William Young* said, that the measure proposed by the honourable Gentleman was a Bill for enacting a revolution in the West Indies, and he would not live in any country where he should be obliged to submit to such a law.

Mr. *Barham* spoke at considerable length against the motion, and said, that the present would defeat the late measure resolved on by the House; and it would be nugatory and ineffectual.

Sir *William Dolben* observed on the merchants having adopted the measures of the Slave-carrying Bill, even after it expired, although at the time when he had the honour of presenting that Bill to the House it had been as violently opposed as the motion then before them; and it had even been said, that it would ruin the trade. This circumstance was the strongest argument to shew, that the abolition would not be attended with those consequences which were stated as likely to result from it. He would therefore urge the supporters of the Slave Trade to abolish it on their own principles and practice. Let leave be given to bring in a Bill, and then the manner and limitations of it would be settled in the Committee.

Mr. *Fox* eloquently supported the motion; took notice of, and answered all the arguments that had been urged against it. He observed, amongst many things, that it was curious to observe the course which the advocates for the trade had taken from time to time. At first the Slave Trade was defended by quotations from Holy Writ, and also from the authority of ancient philosophers, Aristotle among the rest. It was stated to be conducive to the happiness of part of the human race, and particularly the inhabitants of Africa. That was now given up. The trade was by all descriptions of men admitted to be contrary to the principles of humanity. It was certainly contrary to common justice and to right. Not much however,

ever, had been practically gained, for now the promoters of the trade, finding they could not defend it upon its own principle, hypocritically canted against the principle, but still continued the practice, at least so the House had acted by allowing the trade to be carried on. It was now allowed that the trade was unjust, but the House must not try to put an end to that injustice. What was the nature of that truth, the declaration of which, by the British Parliament tended to evil? This was like the argument that was urged against the people calling for peace; they were told, that asking for peace was a sure way to continue the war. Now asking for the abolition of the African Trade was a sure way to continue it. This was in other words saying, that plain sailing would not do, that we must tack and sail against the wind, for that going directly with it was bad sailing. That when the House of Commons means to do any one thing, it must always profess to have something else in view. He disapproved of such policy, and therefore he was a friend to the present measure. He had heard it said that the Legislature of this country should not controul the colonies, and that the colonies ought to resist. This reminded him of what he had said in the course of two bills of memorable character which had been passed into a law. He had said on that occasion something of submission being a question of prudence and morality, and not of duty. Some persons thought he went too far, and especially many who supported the Slave Trade; and yet the advocates for that trade now maintained the same doctrine in support of that trade. It was singular enough that his principle of resistance in support of Liberty at home was to be deemed alarming, and that resistance to law was only to be called forth in defence of Slavery. That we must not draw the sword in favour of our Liberty, when attacked by an Act of Parliament, but the sword was allowed to be drawn in favour of the African Slave Trade, if Parliament attempted to abolish it. With regard to the question of legislating for the colonies, he had no difficulty in repeating what he had said on former occasions, that if we could not continue our connexion with the plantations without continuing also the Slave Trade, it would be more to the honour, and finally to the advantage of Great Britain, to discontinue the connexion altogether. Having viewed the subject in all its points and bearings, and urged a great number of arguments with his usual force, he concluded with calling on the House to support its honour, which was deeply pledged upon this subject, by agreeing to grant leave to bring a Bill for abolishing a trade which was

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recorded to be one that was contrary to justice. The House
divided.

<i>Ayes</i> (For the Motion)	—————	74
<i>Noes</i> (Against it)	—	82

Majority 8 against

leave to bring to bring in the Bill. Adjourned.

HOUSE OF LORDS.

TUESDAY, MAY 16.

SCOTS PEERS ELECTION.

The House resolved itself into a Committee of Privileges on the subject of the Earl of *Lauderdale's* petition—Lord *Walsingham* in the chair.

Mr. Adam was heard on behalf of the noble Petitioner, and the *Attorney General* (in the absence of the *Lord Advocate*) addressed their Lordships on the part of the Crown. After which their Lordships ordered that the subject be taken into consideration on Friday next.

The House then resumed, and the various bills on the table were forwarded in their respective stages, After which their Lordships adjourned.

HOUSE OF COMMONS.

TUESDAY, May 16.

Mr. Boote moved, that so much of the minutes of the Committee on the Canterbury election as related to the petition presented by *John Bunyan Esq.* be laid before the House, which was granted.

A petition for leave to present a petition (the period for presenting private petitions being elapsed) from *Mr. Palmer*, of Bath, stating the great advantage which the revenue of the post-office had received from certain improvements he had introduced, and complaining that the agreement made with him in case of the success of his plans, had not been performed, and praying for relief, &c. was presented.

The *Speaker* informed the House, that this petition, resolving into a demand for public money, could not be brought up without a recommendation from the Crown.

The *Chancellor of the Exchequer* said, that certainly such was the nature of the petition, and he was not prepared to give it the recommendation. Whenever the subject of

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could be brought regularly before the House, he should not object to the discussion.

Mr. *Sheridan* said, the rule of the House certainly applied. He knew, however, that the revenue had been greatly increased by Mr. Palmer's improvements. Mr. Palmer wished only to have the subject investigated. At present, therefore, he should only move for a copy of the warrant of Mr. Palmer's appointment, and whatever other papers might afterwards be requisite for the discussion should be moved for.

The question for bringing up the petition was withdrawn, and a copy of the warrant ordered to be laid before the House.

Sir *W. Pulteney* gave notice, that on Thursday se'night he should make a motion for a new Bank.

ARMY PAY.

The *Chancellor of the Exchequer* gave notice, that on Monday next he should move certain propositions for bettering the condition of the army and militia.

Mr. *W. Smith* said, if it was regular he wished to move for copies of the notice given to the guards upon the subject of the intended improvement in their situation.

Mr. *Grey* said, it was understood that a notice had been given of such a design in consequence of the recommendation of his Royal Highness the Duke of York. It was easy to procure such notice, and he thought it was proper the House to have it.

The *Chancellor of the Exchequer* said, he believed there was no official notice of such a design. It might be known that something was in contemplation in consequence of the recommendation of the Duke of York.

Mr. *Whitbread* said that whether such notice had been given would appear from the Orderly Book.

Here the conversation ended.

FINANCES.

Mr. *Grey* said, that many considerations would have induced him to decline troubling the House with the propositions which he now rose to move, both of a personal nature, and because he had repeatedly seen the little interest with which the majority of the House received any propositions which came from those with whom they were not used to concur. In determining, however, to submit to the House the Resolutions he was now about to move, he had yielded to the

the request of his friends, and to a sense of what his public duty imposed. Having been a Member too of the Committee appointed to examine into the necessity and the causes of the order of Council, and dissenting as he did on certain points from the sentiments of the majority of that Committee, he felt himself called upon to explain the grounds upon which that difference of opinion was founded. He felt it to be a task which his public duty likewise imposed, to submit to the House Resolutions of a criminatory nature against the Chancellor of the Exchequer, founded upon the proofs collected by the Committee and contained in their Report, and which amounted to a charge of guilt and of misconduct, which the House could not suffer to pass with impunity. He was aware, that the duty of an accuser was always a painful and invidious task; and more especially, it was unpleasant to those on whom the necessity was often imposed. In the line of conduct which he felt himself obliged to pursue, he was conscious that he was actuated by no improper or dishonourable motives, and that he gratified no private views. Nothing but an imperious call of public duty could induce him to arraign, as he now did, the Chancellor of the Exchequer, of a great and criminal misconduct, by which he had contributed to bring the Bank of England, and along with it public credit, into that situation in which it was placed by the order of Council; and on account of which, had that never happened, he would contend that he was equally deserving of censure. In a question which depended so much upon evidence, and upon considerations of a very extensive nature, he was desirous to abstain from preliminary matter, to avoid any discussion unconnected with the subject; and in what he had to urge, rather state facts for the judgment of the House, reserving that privilege usually allowed of reply, in order to supply what might be requisite of explanation or of comment. Before he proceeded to open the nature of his propositions, he should state the difference of opinion between him, and, he believed, the whole of the Committee. The object of its investigations comprehended two points, 1st, the necessity of the order in Council, and 2d, the causes by which it had been produced. It was upon the first point that the difference alluded to existed. He had thought, and in this he did not know, that any one in the Committee agreed with him, that the order of Council was not proper, and was not necessary. This opinion was founded upon the closest observation of the
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state of the Bank, and from a thorough conviction that the interference of power was not the remedy by which its embarrassments could be obviated; that this mode in its operation tended to enhance the evil, and to increase the difficulties of repairing it; at least he was sure that he would encounter less opposition when he asserted, that the interference of power ought to have been applied but in the last extremity. The exact account of the cash in the Bank had not been before the Committee, but from the documents it possessed, it could be seen, that though the run upon the Bank had continued for another month in the same proportion, as during the same period before, that the cash of the Bank would not have been so low as in the year 1783, when no application to Government had been thought necessary; but when even in the accelerated proportion of the last week preceding the order, and the two last days of that week, the cash of the Bank might have been sufficient for another week, and afforded room for employing expedients to procure farther supplies; and to prevent altogether the necessity of the application, he could not admit the necessity in which the Committee had concurred. His opinion of the mischievous tendency of the interference of Government in the affairs of the Bank was so strong, that he could not subscribe to the opinion of the necessity for the order in Council, and the inconveniences which might have arisen from rejecting this expedient were more easy to be repaired, than the fatal effects which he conceived to arise from the principle of the interference of Government to suspend the functions of the Bank. So much in explanation of his differing from the rest of the Committee. The Committee stated, that whatever might be the effects of other causes, whether progressive or likely to cease, the dread of invasion occasioned the drain, which reduced the Bank to the necessity of suspending their money payments. What he imputed, however, as an article of serious charge against the Chancellor of the Exchequer was this, that prior to this period the affairs of the Bank were so reduced, that a drain, which, in other circumstances would not have produced this effect, had, in this instance, occasioned the immediate necessity of stopping payment. Instead of taking measures to counteract this danger, instead of exerting himself to provide a remedy for the evil which he had rendered probable, he complained that the Chancellor of the Exchequer had aggravated and accelerated the causes by which the event was ultimately produced.

To

To support this heavy and important charge, he called the attention of the House to the evidence on the table. In the end of 1794 and beginning of 1795, the Bank feeling the bad effects of the drain by foreign remittances which they had already experienced, became seriously alarmed at the consequences which might ensue from a new loan to the Emperor, and they made strong representations to the Chancellor of the Exchequer on the subject upon the 15th of January, 1795. In this representation they likewise stated the inconveniences they felt from the amount of their advances to Government, especially upon treasury bills, a species of security new at least in the extent to which it had been carried during the present administration. The Chancellor of the Exchequer thanked them for this communication, and particularly promised to reduce the amount of advances on treasury bills, but that this could not be done till after the first payment of the loan. The mischief of advances on treasury bills had been felt by the Bank; they wished to be indemnified for the sums they had advanced contrary to their original constitution, and to the wise regulations of the statute of King William. Instead of an indemnification, however, a clause repealing the whole of the existing limitation was introduced into a loan bill without notice, without explanation, without any thing to direct the attention of the House to its nature and object. The sum to which the limitation was desired by the Bank was 500,000*l.* but instead of this, every restriction was removed by a clause, which in passing, might have justified a charge of remissness against the House, did they not find an excuse in the extraordinary manner in which the business had been managed. It was important, however, to observe the period at which the representation of the Bank for repayment of their advances was made. It was a month before the Chancellor of the Exchequer had made his arrangements for bringing forward his budget, and when he had full time to settle every thing necessary to the accomplishment of the object which the bank had solicited, and which he had promised to perform. The Chancellor of the Exchequer, with the pompous parade of our resources, rested the hopes of success in the unfortunate and disastrous contest in which we are engaged, upon the rapid decay of the French finances.

The arguments upon which he supported this conclusion, were drawn from statements of the cash and paper circulation in France, and the ruin which the disproportion would produce.

produce. The cash, at the utmost, he stated at 90 millions, and the paper at 130 millions. When such were the reasoning upon which he proceeded in viewing the state of our enemy, he was particularly bound to attend to our domestic situation. The representations of the Bank were before him. On the principles and arguments he then employed, it was more particularly his duty to have provided against evils which were held out to him, and which threatened ruin to public credit, upon the very reasonings, which, with regard to France, he so strongly pressed. He did no such thing, however. Though in answer to the representation of the 15th of January, he had promised to pay off part of the advances due by Government; but by a new representation, on the 16th of April, he was reminded of his promise of payment from the first instalment of the new loan. What excuse then is he to make for this breach of faith? It was contained in his written answer to the last representation. He admits the propriety of the demand, but he says, "that in the multiplicity of business it was forgotten." A promise so material as this, to an important body, so repeatedly and earnestly urged, was forgotten! The Chancellor of the Exchequer, who boasted of more accurate estimates and more complete provision for the public expence than any of his predecessors in office, quite omits an article of more than two millions, he neglects the demands of the Bank, he exposes to hazard the interests of the nation, and the excuse for all this is, that it was forgotten! He begged to call the attention of the House to the minutes, containing the answer of the Chancellor of the Exchequer in conversation upon the subject with the Directors of the Bank. These minutes had been talked of in the House, as what were called the answers of the Chancellor of the Exchequer. They were taken indeed without his knowledge, after the conversation had taken place, but by those who were not likely to represent them to his disadvantage. That they were not evidence on a trial, was a plea, that would be admitted; but would the right honourable Gentleman deny that they contained the substance of his answers? Till this was formally denied, all the arguments on their informality would have very little weight. But it was unnecessary to dwell on this point, because the written answers were sufficient. The Chancellor of the Exchequer writes that the demands of the Bank should be complied with out of hand, and that he should immediately give directions for partial payments to
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be made. The debt on Treasury bills, however, continues to encrease, and on the 5th of June, 1795, the Bank represent that their debt on this head amounted to 1,200,000*l*. and on the 30th of July, they represent their determination to order their cashier to refuse payment of these bills when they exceeded a certain amount, but that they depended upon his promises to reduce its amount. In answer to this, the Chancellor of the Exchequer says, "that the warrants are nearly ready." Though the Bank represented on the 30th July, that the drain upon them was such as made it desirable for them to reduce their credits; with the danger of all this before him, and the assurance of the Bank that they would be compelled to narrow their accommodations, they receive a letter containing a new demand for advances on the Consolidated Fund. The Bank return an answer, stating the inconveniencies under which they laboured, in consequence of these advances, their determination to limit their amount, but agreeing to wait till November, on condition that measures should then be taken for their repayment. To this the Chancellor of the Exchequer returned an answer, stating that he agreed to the conditions, and that he should take care they should be complied with. Notwithstanding this promise, the Bank are obliged, on the 8th of October, to repeat their complaint, as the sums due to them were not discharged. They stated the drain in gold and bullion which had taken place; that the last advances had been made with great reluctance; and that if measures of caution were not pursued, the most fatal consequences were to be apprehended. They represented the loan to the Emperor as a drain which could not be sustained; and when, in answer, the Chancellor of the Exchequer said he had no intention to bring forward an Imperial loan, the intimation was received with the utmost satisfaction by the Governor of the Bank, who said that if another took place it would go near to ruin them. The Chancellor of the Exchequer likewise added that the bills from abroad would continue two months longer and no more. Amidst repeated representations, renewed promises, and uniform breach of faith on the part of the Chancellor of the Exchequer, the meeting of Parliament on the 29th of October, 1795, arrived. The Bank again state their alarms, and press the necessity of payment. In November they represent their fears from the drain which had taken place for foreign remittances, that they would even be obliged to refuse any advances even upon the vote of credit.

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To this the Chancellor of the Exchequer answered, that there was no intention of any Imperial loan, and that he should abandon every consideration that was inconsistent with their security.

On the 7th of December, the financial arrangements for the year were brought forward. Again the distresses of France are contrasted with our flourishing situation. Upon that occasion, the Chancellor of the Exchequer justly observed, "that our prosperity rested upon a steady adherence to the financial principles which our ancestors had established, and by accompanying the vigorous efforts we were bound to exert at present with salutary provisions for the future. Was the Chancellor of the Exchequer then bound to make some provision for the demands of the Bank and for the security of our regular system of finance, which his neglect threatened to overthrow? He had failed in his former promises of payment; here again he had neglected to make any provision for the Bank. In consequence of another application, however, he informs the Bank that he should make a payment of a surplus to a certain extent, out of funds which he had destined for other purposes. Last year he had charged the Chancellor of the Exchequer with having diverted the grants of Parliament in contempt of the act of appropriation; here, in answer to the Bank, he avowed his neglect in making provision, and his determination to discharge part of their advances from funds which, not he, but Parliament, had destined for other service. Upon these different points he should not have dwelt so long, if he had been quite sure that gentlemen had read the reports of the Committee; but he now came to that period when a new loan was made, the main object of which was the payment of the advances made by the Bank. The reason then assigned for this measure was, that it would relieve circulation, and enable the Bank to enlarge their accommodation to commerce. He knew it was not regular to refer to those documents, printed as debates of the House, because they were not considered as authentic, and were even contrary to the orders of the House; but if these debates were at all correct, it was upon a Budget, and if gentlemen would look at the speech of the right honourable Gentleman, they would find that it confirmed the account which he here gave of it, but could not regularly quote. From the evidence of Mr. Bosanquet it appeared, that part of the sums, for payment of which this money was granted, had not been paid off. Something like altercation

had taken place on this subject on a former night, and it was contended that this was owing to the Bank not having availed themselves of the option in the act of subscribing their Exchequer Bills in payment of their share. But in fact the honourable Gentleman who defended the Chancellor of the Exchequer upon that clause, might as well have quoted any Loan Bill that had been passed this century. The Bank were Creditors suing for the payment of a debt due to them, and they did not wish to convert a floating debt into a permanent one. He was astonished when he heard it said that the Bank, who had so long and so earnestly solicited Government for payment of their advances, did not avail themselves of the means of payment. To such an assertion he should repeat, believe it who can. The evidence of Mr. Raikes, Mr. Giles, Mr. Bosanquet, and every other Director examined, proved that they had pressed for payment of the very sum which he complained of as left undischarged; that the clause in the Loan Bill which had been quoted, had nothing to do with the subject, and that the solicitations of the Bank for payment of it still continued. Having traced the Chancellor of the Exchequer still promising payment of former advances, and still *extorting* money, as he would call it, from the Bank upon fresh pretences, three Budgets having elapsed without provision being made, the Bank had an interview with the Chancellor of the Exchequer upon the 24th of May, 1796, and found him impressed with the justice of their applications. On the 25th of May he wrote them that, after the second payment on the loan of seven millions, their demands should be attended to, but that he was obliged to go and attend the election at Cambridge, but should pay attention to their application on his return. On his return from Cambridge the Bank waited on him. Their advances were now as high as before, and they were urgent in their demands for payment. The Chancellor of the Exchequer assured them that something should be done, and coincided in opinion that the amount of their advances ought to be kept down; but as the anxiety which the Chancellor of the Exchequer expressed for keeping down this amount was uniformly followed by a fresh demand, this was immediately succeeded by an earnest request of new accommodation. The Bank remonstrate, and comply with reluctance, and, as they express in their Memorial, from a fear that their refusal would be attended with a greater evil. If any thing can excuse the Bank for continuing their advances after the disappointments they had experienced, it must be the importunity with which they were pressed, and the dexterity with which they were al-

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ways alarmed with the dread of injuring the public service by their refusal. The situation of the Bank became still more critical. Though there had been no direct communication respecting their situation, the Chancellor of the Exchequer had received such hints as must have sufficiently apprised him of the situation in which it stood. Still their solicitations were neglected, his promises were broken, and the sum of their advances continued to encrease till the fatal period when the Order of Council was issued. Amidst all the representations which he had received from the Bank, regardless of the consequences which threatened to follow the system he pursued, the Chancellor of the Exchequer, far from labouring to avert the ruin, continued to persevere in the very measures which accelerated its completion and aggravated its mischief. With regard to the effects of the drain occasioned by the Imperial Loan, the evidence upon the table was full of the remonstrances made by the Bank to the Chancellor of the Exchequer. On the 16th February, 1796, they represented that a further perseverance in foreign remittances would be fatal to the Bank. The Chancellor of the Exchequer assured them that no loan should be sent to the Emperor, unless circumstances materially altered. With this the Bank were satisfied, because they understood the assurance to extend to remittances of every kind. The representation to which this answer was made comprehended both Loan and Advances, and Mr. Bofanquet says, in his evidence, that the answer of the Chancellor of the Exchequer was disingenuous if it did not apply to both. If what passed at the conversation which took place on this subject was admitted, it was disgraceful in the Chancellor of the Exchequer to return so deceitful an answer. It was understood to apply to every kind of remittance, and if it was not so meant, it was not only disingenuous but fraudulent. What was the fact, however? Colonel Craufurd had, at this very time, drawn bills to the amount of 300,000*l.* and continued to draw, till the sum of advances was 1,300,000*l.* till the drain upon the Bank was so great, that the run which it afterwards experienced, and which it otherwise might have been able to sustain, became fatal; but if good faith be necessary to public dealings, will the House of Commons allow such flagrant breach of it to pass with impunity? Public Credit has been impaired! the Bank has been forced to stop payment! These are now but the crimes of an individual. If they receive the countenance and protection of the House, they communicate the guilt to the Representatives of the People, and become the character of the nation. But even if no such catastrophe as the stoppage

of the Bank had taken place, still the conduct of the Chancellor of the Exchequer ought not to pass unnoticed. It may be said it is unfair to reason from what has happened; but independently of what has happened, the conduct which led to it was criminal. If, when the measures of the Minister materially contributed to that fatal event which public credit has felt so deeply, shall not the House rescue itself from the charge of being his accomplices, by punishing the person to whom the guilt must be ascribed? That it did contribute, and most materially to that event, he would still contend. All the Directors of the Bank examined upon the subject, Mr. Raikes, Mr. Giles, &c. agreed in stating, that if the advances by the Bank to Government had been discharged, the stoppage of the Bank might have been prevented. Mr. Giles and Mr. Bofanquet were very explicit in their opinion, as to this point, as well as Mr. Winthrop and others. Mr. Thornton and Mr. Boyd, however, had in their speculative ideas, expressed an opinion, that the conduct of the Bank, with regard to discounts, had contributed to the stoppage. In the speculative principles which the latter Gentleman threw out upon this head, he was happy to find that he had made a distinction between the conduct to be followed by the Bank of England, and by other Banks, because as this honourable Gentleman was himself connected with a Bank, he had thus obviated the want of confidence which must naturally have arisen towards a Bank managed upon the principles he had laid down. Indeed, he seemed to have confounded every sober and rational principle of banking. The Bank of England was a Bank of circulation. To the support of such a character, it was essential that it should pay on demand. It therefore ought to be always prepared. If necessary, it must have cash to answer all its Notes. In times of calamity the Bank must bear the burden with other sufferers. In prosperous times it possessed the means of recovering its losses; in times of alarm it would be able to defeat its malignity by answering every demand. Circulating Medium was a fashionable phrase in the present times, and he was afraid what was said to be a want of Circulating Medium was a want of capital. The state of the exports was no proof of the flourishing state of the country. War necessarily created a demand for certain articles, the individual manufacturer was enriched, but the country received no return for what was sent abroad on this account. The national capital was not supplied and recruited by such exports, they only enhanced ruin while they seemed to indicate prosperity. Mr. Grey read a quotation from Smith's *Wealth of Nations* in support of this doctrine. It was the
opinion

opinion of Mr. Thornton and Mr. Boyd, that the Bank should have extended their discounts, and encreased their paper. If an opinion of the latter honourable Gentleman was well founded, then had the Bank Committee greatly deceived the public in their first report. It was said by this honourable Gentleman that the sums discounted by the Bank were not to be taken as debts of which they could compel payment, but that they ought, by fresh issues, still farther to accommodate the person who had bills in this situation. If so, could the sums which the Bank has discounted be taken as assets? If a bill were brought for discount by persons who would require fresh discount when it became due, would it be considered as a fair bill? He would appeal to Mr. Thornton whether such a bill would be taken? Such an opinion, however, was evidently erroneous, and to proceed upon such principles no bank of circulation could ever exist. It was said that encreased commerce required encreased discounts. Here again he should appeal to the authority of Adam Smith. It had been said that there was nothing new under the sun, but he really thought that the doctrines he had heard on this point were new, till he found that they were the old maxims of speculators and projectors. Mr. Grey read another passage from Smith, which laid it down that discount was only safe and proper where the person discounted what he would otherwise have been obliged to keep by him. Particular circumstances had prevented him from attending the Committee when the report was drawn up, and this was the reason why he had now to object to a part of it, against which he had not entered his dissent in the Committee. It was stated that the Bank by not extending its discounts had contributed to the stoppage which had taken place; but the whole facts in evidence were repugnant to this conclusion. It appeared that, when the Bank narrowed their discounts, their cash encreased, except where there were other drains. Neither did he agree in opinion that the reduction of country bank notes was owing to the diminution of Bank of England notes, for though the notes of the Bank of England had at certain periods been diminished, the proportion of country bank notes had remained as before; but in point of fact, the discounts of the bank had not been narrowed since they were first contracted in 1793; the declaration of the Bank that they were to contract had never been acted upon. For his own part were he a Director of the Bank, he should refuse to discount any bill to a holder of Exchequer bills, and should tell him to carry them to market before he came to the Bank for accommodation. It was a dangerous position that the conduct of the Bank of England

gland ought to be guided by principles different from those which regulated the conduct of other banks. It had been justly observed by an honourable Gentleman, (Mr. Wilberforce) that particular measures could be of little consequence, and that the restoration of general credit was the great point to be accomplished. But what was his definition of general credit? General credit must rest more upon the feelings of confidence than upon a demonstration of causes. It was an edifice reared by the hand of simplicity, upon the basis of truth. Men might discuss finely and talk speciously, but to inspire general credit you must excite belief, not inspire admiration. To extract belief of things above the reach of human judgment was the highest effort of divine power. But this claim was confined to Revelation. Men might be submitted to power, but their confidence could not be compelled. As to simplicity, truth, and good faith, an experience of punctuality in transactions of honesty, in the discharge in obligations incurred, could alone inspire general credit. A bank note, had Mr. Burke well observed, is all powerful upon the royal Exchange, because in Westminster Hall it is impotent. To talk of any new circulating medium which commerce did not supply, was a dangerous chimera. To inspire general credit, you must tell the public that the Bank is to be conducted like other concerns, upon views of its own interest; that it is to be conducted by men who act as merchants, not as politicians and statesmen, and you will inspire general credit; tell the public that the connection of the Bank with Government is to be dissolved, that its transactions are to be free, and you will inspire general confidence.

The Bank of England, if it begins its operations upon the 24th of June, can only stand upon the principles of truth and honesty, on fidelity in its engagements and paying its notes upon demand. Was it necessary to refute the doctrine, that when embarrassed the Bank ought to have increased its issue of paper to increase the means of enforcing demands for specie, without additional means for satisfying the demand? But was not the measure adopted by Ministers of at last paying off the advances of the Bank, a sufficient proof that they distrusted these theories? The Chancellor of the Exchequer formerly boasted of the facility with which money was raised, and the low rate of interest at which he borrowed; but was it more difficult to pay off the advances of the Bank when money could be borrowed at four and a half per cent. than now when it is seven? In neglecting the means of saving the Bank from the necessity of stopping payment, the Chancellor of the Exchequer had been guilty

guilty of a most culpable breach of duty. Admitting even that the Bank was wrong in narrowing its discounts, was it not independent, and entitled to manage its own affairs? In not paying the advances which compelled them to such a conduct, the Minister, by whose fault it was occasioned, is responsible for the consequences. Here then he submitted to the House the charge and the evidence on which it rested for their decision; though it was personally directed against the Chancellor of the Exchequer, he did not mean to select him alone from the rest of his colleagues, who were equally amenable to the justice of their country.—However the talents of an individual might render him fitter to carry it into execution, yet the system was common. It was that system of unremitting malevolence which had commenced with his Majesty's reign, and which had pervaded every part of public administration which he attacked. To this system it was owing that we had lost America; to this system was the present war to be ascribed; to this system was to be ascribed that determined hostility to the principles of freedom which every public measure had marked. Hence arose that rancour which enflamed with the prospect of gratifying its detestable hopes, and which had in the moment of success neglected every opportunity of concluding peace; to this spirit, unchastised by misfortune, unenlightened by experience, was owing the desperate refusal to put an end to the war, which had brought us to a state of things when he could no longer be sanguine that any man could make peace; when, least of all, it could be expected under the auspices of the present Ministers. That system which lost America, had Ministers carried into Ireland, and amidst all the distresses in which we were plunged, it was to be added that in the present moment there might be reason to apprehend that this invaluable jewel was lost to the British crown. "Oh, for some warning voice" to proclaim to Ministers the danger and the ruin with which their system is pregnant! In every thing their mean and miserable policy had been disappointed. They had tried to divide the people of Ireland by their religious principles, and they were now united against common oppression. If Ministers thought that by granting a little to withhold a great deal, they would not succeed. Such pitiful evasions and shuffling policy could no longer be attended with success. These points he had introduced that the House might see the consequences of the want of good faith in public men. They had experienced the bad effects of pursuing a system contrary to good faith. Under the conduct of Ministers, it had brought us to the brink of ruin. The system would be complete, if the profligate system of an administration was crowned with the sanction

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function of Parliament. He concluded with moving the following resolutions :

1. That the Governor and Deputy Governor of the Bank, did at various times, and in the most forcible terms, represent to the Chancellor of the Exchequer the danger arising to the Bank from the diminution of its specie.

2. That it appears, that during this period the Directors of the Bank frequently remonstrated with the Chancellor of the Exchequer on the magnitude of their advance to Government, anxiously requiring payment, or a considerable reduction of the same, and that the Chancellor of the Exchequer did again and again, in the most explicit terms, promise that reductions should be made.

3. That the Chancellor of the Exchequer, instead of performing the engagements, did continually solicit further accommodation, in the most anxious and pressing terms ; declaring, that it was impossible to avoid the most serious embarrassments to the public service, unless the Directors of the Bank afforded the assistance he required.

4. That it appears, that although by these means the Directors of the Bank were induced to comply with his demands, they generally expressed their reluctance in strong language ; and that at last, that is to say, on the 28th of July, 1796, they thought it necessary for their own justification, to request the Chancellor of the Exchequer to lay before his Majesty's Cabinet their most serious and solemn remonstrance, in which they declare, that " sensible of the alarming and dangerous state of public credit, nothing could induce them to comply with the demand then made upon them, but the dread that their refusal might be productive of a greater evil."

5. That it appears that during the above period, a considerable portion of the Bank advances was occasioned by payments of Bills of Exchange drawn from foreign parts on the Commissioners of his Majesty's Treasury.

6. That it appears that it had seldom been the custom of the Bank of England, previous to the year 1792, to advance on the account of bills drawn on the Treasury, more than from 20,000*l.* to 30,000*l.* and that even during the American war such bills never exceeded at any one time the sum of 1,50,000*l.* The wisdom of our ancestors having foreseen, and provided against, the mischief of such advances by a clause in an act passed in the 5th year of William and Mary, by which the Governor and Company of the Bank of England were restrained from advancing money to Government on any other securities than those on which a credit is granted by Parliament.

7. That it appears, that from and after the year 1793, at which time an act of Parliament passed, containing a clause by which the Directors of the Bank are indemnified for the advances they had made on bills drawn from abroad, and exempted in future from the penalties of the said act of William and Mary, respecting such advances to Government, the amount of Treasury bills paid at the Bank continued progressively to increase, and that between the 1st of January, 1795, and the 25th February,

February, 1797, sums amounting in the whole to upwards of 15,000,000*l.* were advanced to Government upon this head.

8. That it appears, that the Directors of the Bank did, at various times, during the years 1795, 1796, and 1797, apply to the Chancellor of the Exchequer for repayment of such advances, and represent to him the extreme inconvenience to themselves and to the public of continuing the system of making Treasury bills payable at the Bank; and that they even declared they conceived it to be "an unconstitutional mode of raising money, and what they were not warranted by their charter "to consent to."

9. That it appears that the Chancellor of the Exchequer did, at various times during that period, promise and engage to reduce the advances on that head within the sum of 500,000*l.* and likewise to arrange his payments so as to put an end to the account; but that, nevertheless, the said promises and engagements were not adhered to by him; and that the advances on Treasury bills during the whole period from January, 1795, to the 28th of February, 1797, amounted on an average to the sum of 1,320,000*l.* and upwards, and on the day last mentioned stood at 1,619,049*l.*

10. That it appears to this House that foreign remittances to a much larger amount than ever were known in a similar period of the most expensive wars in which this country has been involved, have taken place since the year 1793.

11. That the extent of such remittances occasioned at so early a period as the end of the year 1794, and the beginning of the year 1795, great alarm in the minds of the Directors of the Bank of England, which they at various periods communicated to the Chancellor of the Exchequer; and that on the 3d December, 1795, under the apprehension that it was intended to grant a further loan to the Emperor, they came to a resolution by which they declared their unanimous opinion, that, should such a loan take place, it would be "most fatal in its consequences to the Bank of England." That they communicated such resolution to the Chancellor of the Exchequer, who assured them—"He should lay aside all thoughts of it, unless the "situation of things relative to the Bank should so alter as to render such a loan of "no importance or inconvenience to them."

12. That on the 5th of February, 1796, the Chancellor of the Exchequer, after stating, in conversation with the Governor and Deputation from the Bank of England, his opinion of the necessity of further assisting the Emperor, promised, however, to take no step in that business without previously communicating to them his intention.

13. That on the 11th February, 1796, the Directors of the Bank passed unanimously the following resolutions:—

"Resolved, That it is the opinion of this Court, founded upon the experience of the effects of the late Imperial loan, that, if any further loan or advance of money to the Emperor, or to any other foreign state, should in the present state of affairs take place, it will in all probability prove fatal to the Bank of England."

"The Court of Directors, therefore, do most earnestly deprecate the adoption of any such measure, and they solemnly protest against any responsibility for the calamitous consequences that may follow thereupon."

To which resolution, when communicated to him, the Chancellor of the Exchequer returned for answer, "That, after the repeated intimations which he had given to the Governor, &c. of the Bank, that no further loan to the Emperor would be resolved on without previous communication with the Bank, he did not see any reason for these resolutions; that he did suppose they were adopted in a moment of alarm, and that he should consider them in that light."

14. That, both from the general tenor of the said answer and from its particular reference to the substance and matter of the resolution then communicated to him, the Governor, &c. of the Bank were unavoidably led to understand that the Chancellor of the Exchequer continued bound by promise to them not to negotiate a loan for the service of his Imperial Majesty, nor to make any remittance either to his said Imperial Majesty, or any foreign Prince, under any pretence whatsoever, without previously communicating such his intention to the Bank of England. That the Directors did so understand him; and that, in their opinion, unless his answer to their resolution was meant to apply to the whole of its contents, the conduct of the Chancellor of the Exchequer was disingenuous.

15. That nevertheless the Chancellor of the Exchequer, for some time prior to February 11, 1796, clandestinely remitted, and did, for several months subsequent, clandestinely remit, for various foreign services, large sums of money; in defiance of his repeated promises, and particularly in violation of the engagements which were implied in the assurances given by him to the Bank of England upon their resolution of the 11th February.

16. That it appears, that if the said advances of the Bank to Government had been paid off, when required, or considerably reduced, the Bank would have been enabled to reduce, if expedient, the amount of its outstanding notes; and that such option would have been of essential service to its interests.

17. That it appears, from the evidence of persons connected with the Bank, that if the said advances had been paid off, when required, or considerably reduced, the Bank would have been enabled to give more extended aid to the mercantile interest of Great-Britain in the way of discount.

18. That it appears that if the advances on Treasury bills had been paid off when required, and as the Chancellor of the Exchequer had promised, and the foreign remittances abstained from as the Chancellor of the Exchequer had likewise promised, the necessity would probably not have existed for the Order of Council.

19. That it appears to this House upon the most attentive consideration of the circumstances above stated, that the Chancellor of the Exchequer has been guilty of a criminal inattention to the public interest, and a high breach of duty, by which the credit of the nation has been materially impaired.

The Chancellor of the Exchequer said, that before he entered
into

into a discussion of the various topics adduced by the honourable Gentleman, he should trouble the House with a few words on one point, which certainly had not been much pressed on the attention of gentlemen, because in his opinion, it could not be turned to the advantage of the hon. Gentleman who opened the debate. He meant the consideration, whether under all the various circumstances existing previous to the 28th of February, 1797, Government was justifiable in issuing the Order of Council of that date. That subject had already been so amply discussed, that it could not be pronounced too assuming in him to maintain that a contrary opinion could not possibly exist. It was fully admitted, that it would have been unwise and impolitic to have suffered the Bank to have followed its own course, and to have rejected the interference of Government. That opinion was recognized by the Committee, who, however they might differ on other points, had been unanimous in that position. It was also the sentiment of the Directors of the Bank themselves, and of the evidences examined on the subject, that it would have been followed by the most dangerous consequences, if the Bank had been suffered to be drained of its last guinea. He did not, therefore, think it necessary to detain the House on a point so generally admitted, more particularly as the hon. Gentleman himself had not thought proper to move any specific resolution on that head. He next came to what were termed the principal and leading causes which were said to have produced the scarcity of cash, but which were pointed directly at his own official conduct; and here he should observe, that however copiously these causes had been stated by the hon. Gentleman, they might in his mind be reduced to a few simple and plain points. The motion submitted to the House appeared to him to rest on two distinct grounds: 1st, as to the advances made to Government by the Bank in general, and the remittances made to the Emperor; and 2dly, with respect to the inferences drawn by the hon. Gentleman, that these two circumstances were the principal causes which produced the order for suspending the issuing of cash by the Bank. He should naturally call the attention of the House to the first part, which related to himself and the Bank; and he should beg leave to argue, that many other circumstances, and those very powerful in their operation, were to be taken into consideration, exclusive of the causes assigned by the hon. Gentleman; and when those circumstances to which he alluded came to be discussed, he would submit to the House whether they were not more prevalent in producing the Order of Council than those suggested by the

honourable Mover. That repeated applications had been made to him on the part of the Directors of the Bank, with respect to the advances and remittances complained of, he was ready to admit; and that assurances had been given by him to reduce the advance to 500,000*l*. he was very far from questioning. But the House was in justice bound to consider of what peculiar nature those circumstances were, which prevented him from carrying into execution the assurances so given. When the magnitude and diversity of the operations of the present war were fairly viewed; when the unforeseen exigencies which called for unforeseen expences were candidly weighed, he trusted that it would not be denied, that it was completely impossible to ascertain with any exactness the amount of the disbursements likely to be incurred, or to form estimates on which any reliance could be placed. Since, therefore, that position could not be refuted, and the impossibility of bringing forward certain estimates, was established by experience, the only question that remained to be decided by the House was, in fact, whether the assurances made by Government were given with an evident intention of carrying them into execution? Gentlemen should also consider the particular steps that had been taken to fulfil these assurances, and they would then be enabled to judge of the sincerity of intention which which they had been advanced. It had been argued, that the bill of 1793 was in contradiction to the act of William and Mary, on the subject of making advances by the Bank to Government. The fact was directly contrary to that statement, for he would maintain, that the legal construction of the act of William and Mary did not go to prevent the Bank from advancing money to Government, but merely to prevent the anticipation of Parliamentary grants. It was necessary to remark in discussing this point, that the Bank did actually make advances to Government during the last war; and if the Directors of the Bank had conceived that they exposed themselves by such a proceeding to the penalties provided by the act of William and Mary, they certainly would not have consented to that measure. But they had made advances to a considerable amount, and bills of Exchange had been also drawn in the same period, with the only difference, that they had been drawn by individuals, and not by corporate bodies. Besides, it should be impressed on the minds of Gentlemen, that the bill of 1793, which was said to repeal that of King William and Mary, was not introduced in a clandestine manner, but in the most open and parliamentary way. It was introduced by a resolution of the Committee appointed for that express purpose, and that

that resolution was recorded on the journals of the House. The bill itself stood at that moment on the statute book with the title "to remove doubts occasioned by the former act," and he could venture to state, that it had undergone discussions in another House. The honourable Gentleman had noticed, in one of his resolutions, that the treasury bills paid by the Bank amounted to 15 millions; but the question was not, what had or what had not been paid, but what was the amount of the out-standing debt, and what the opportunities Government had to discharge it. He felt, that he lay under peculiar disadvantage in stating, but it was a disadvantage which no human foresight could possibly provide for, that he had been very much disappointed in the unexpected amount of the bills drawn from the Continent. It was equally true, that the same disappointment took place with respect to the sums drawn for to meet the exigencies of the war in the West Indies, and he could not even at that moment state what might be their exact amount. Therefore, when the honourable Gentleman contended as an argument in favour of his own conclusions, that there had been many disappointments in the different budgets, he contended for a matter which could not be denied, and was certainly an affair of great and serious concern; but he at the same time admitted that the financial statements were correct, founded, as they evidently were, on the probable estimates laid before the House. With respect to the sincerity of intention manifested by Government, in their endeavours to carry into execution the assurances made of reducing the advances, he should beg leave to refer to No. 10 of the Appendix to the report of the Select Committee, by which it appeared that the outstanding bills of Exchange were reduced on the 5th of January 1795, to 1,796,000*l.* and on the 31st of March, to 500,000*l.* That they were not kept to that low sum, he could only object the increase of the great and unavoidable expenses which could not be foreseen in the prosecution of the war. What, he should ask, was the amount of the bills of Exchange paid by Government from the 5th of January 1795, to the 5th of January 1796? They would be found to make the vast sum of 8 millions, while the outstanding bills were only 500,000*l.* He had not sufficient foresight to enable him to pay them all off, but that he did it within 500,000*l.* could not be denied. In making this statement, he merely wished to prove to the satisfaction of the House, that the declaration on his part to carry into execution the assurances made of reducing the advances to Government was perfectly sincere, and he had only to lament that

that his most sanguine desires, and his constant exertions to attain that great object, had failed from the most unavoidable circumstances. The admission of the Governors and Directors of the Bank themselves was a point which should not be overlooked. So far were they from thinking that advances to Government were prejudicial to them, that their own conduct furnished a strong refutation of that idea. After their representations to him in November, on the danger of making advances, they absolutely agreed to the same measure in the subsequent month of July, and then advanced money on the land and malt, notwithstanding their previous remonstrances. He next came to the question of the remittances made to the Emperor in 1795; and here he would submit to the candour of the House, whether the assurances made to the Bank of reducing the advances, could with the least degree of consistency be understood as operating to bind up the Executive Government from making any remittances whatever, however great the urgency of such a measure might be, and, however necessary for the public safety. The result of such an argument, if it were once admitted, would clearly be, that the Executive Government would give up every means of acting as it was bound to do, for the service of the state, and according to the exigence and the necessity of the case which might occur. When such a motion as was then before the House was insisted on, it certainly was not too much to ask that the grounds on which the charge was made should be plain and free from ambiguity. Without therefore meaning any personal application as to himself, he was at liberty to require that the House should weigh with peculiar caution an evidence arising out of a verbal correspondence, and in which one of the parties was distant and not even consulted when it was committed to writing, after an interval of two or three days. For such was the nature of the testimony laid before the Committee in the minutes of the Directors, relative to their applications to him, and his answers to those applications. Since, therefore, the evidence was of so very loose a kind, the House was called upon to act with peculiar delicacy. The advances which had taken place since the applications of the Directors to him, arose evidently out of a new state of things, and could not apply to any discussion on that subject which had previously existed between them. Since the evidence laid before the Committee had been so minutely dwelt on by the honourable Gentleman, he also thought it necessary to refer in his own defence to that testimony.

testimony. Mr. Giles stated, that the conversation which had taken place was relative both to the loan and to the advances, yet it was somewhat singular, that in the minutes made of that conversation, no mention whatever was made of the advances. Mr. Raikes, on the contrary, and he believed no man could object to the respectability of that Gentleman's declaration, positively stated, that the conversation had no relation whatever to future advances. Thus, though there appeared no evidence that the conversation related to advances, and though no notice whatever had been given to him on that subject, it was directly pressed upon him as a specific ground of crimination, and he was to be censured for a breach of faith, in not considering himself bound to the performance of a condition with which he was perfectly unacquainted. If the Directors of the Bank were actually in possession of evidence which they had reason to think might convict him, was it to be believed that they would not bring it directly forward as a charge against him, more particularly as they were led to consider it in the light of a measure on which their own safety so essentially depended? But so very far was the testimony from being incontrovertible, that it rested on the most feeble grounds, and was in itself perfectly contradictory, one Gentleman stating a matter which was not recorded in the minutes, and the other giving evidence directly contrary to the former's declaration.

He next came to discuss how far the remittances made to the Emperor could be considered as the principal leading causes of the Order of Council. Here it was necessary for him to notice a position assumed by the honourable Gentleman, that because certain sums were advanced, there should be Bank Notes equal in amount to the total of those advances. In the course of the year 1783, the advances were little less than about this period, yet it was well known that the Notes in circulation in December, 1783, were not above six millions. There was since that time a difference in their amount from six millions to between nine and ten millions. It certainly could form no reason, that because the advances were greatly beyond the notes issued, that the notes were not equal to meet them. The various circulation of notes, and the circuitous manner in which they went through different hands, accounted for a small quantity of them being competent to discharge demands superior in their amount. But it was said, if the advances had not been made, the Bank would have been safe. If by the Bank being safe was meant that it would be able to wind up its affairs, he could not, for his own part, consider that as an affair of safety: and he hoped it would not be considered as

such by any person who was seriously concerned for the prosperity and credit of the country. With respect to the safety of the Bank, he was, on the contrary, of opinion, that it really consisted in giving vigour to the trade and commerce of the country, by diffusing a circulating medium, without which the nation would be unable to preserve its affluence and independence, and without which its dearest interests would be absolutely destroyed. It was, he acknowledged, a question of very great importance, how far a greater or less issue of paper was favourable to commerce. The honourable Gentleman said, the Bank of England departed from the character of simplicity and honesty, which ought to distinguish all establishments of that kind, when they had not money sufficient to discharge all their out-standing notes. So far from thinking so, he would assert, that if Banks were compelled to have, upon every unfounded and unforeseen alarm, a sufficient quantity of money to answer the demands that might possibly be made upon them, there was at once an end to that principle upon which banking had uniformly been conducted. That principle he had always understood to be the employing a circulating capital greater than the real one. The honourable Gentleman had offered no new arguments to shew that it was improper in the Bank to encrease their issues of paper. When a part of the circulating capital necessary for the purposes of commerce had, by whatever means, been taken out of the country, it was necessary to replenish the void which had been created. The only obvious means of doing this, was to issue Bank Notes so long as a demand for them existed. Whatever the honourable Gentleman might think of this proposition, it was certainly one which ought not to be rejected without due consideration. He might indeed be justified in arguing that the country had now experience of its truth, and of the utility of its practical application. The honourable Gentleman entertained great doubts whether any diminution in circulation could be ascribed as a cause of the stopping of the Bank, and therefore seems to conclude, that that event was entirely owing to the money sent out of the country. But did not the honourable Gentleman acknowledge that the amount of country bank notes in circulation had been greatly reduced? and was it not obvious that the operation of this diminution would be a demand for cash, or some other substitute, wherever it could be found? Now the notes of the Bank of England affording an easy opportunity to the holder to turn them into cash, it was evident that the decrease of country bank notes would tend to drain the Bank of specie. He next came to the question, how far the money sent

sent out of the country, to the Emperor, or to any other Power, had led to the Order of Council of the 26th of February last. He should, in the first place, observe, that if it was established, that there were a great number of other causes, which might all have equally conspired to produce that event, it could not, with any degree of justice, be ascribed to that one alone. If it was established that an increased capital required an increased circulation, and that there was at the same time a diminution in the amount of country Bank-notes, which operated to make a run on the Bank—if these and many other causes appeared to have had a share in occasioning those circumstances which rendered the order of Council necessary, he believed the honourable Gentleman would find it impossible to persuade them, that it was occasioned solely by the remittances to the Emperor; even, though it were to be admitted, that these remittances had carried out of the country a considerable quantity of specie or bullion. There were many different theories of the balance of trade, but he would not subscribe to any of them, upon however high authority they might stand, without consulting his own judgment. Much as he respected the opinions of that great writer, whose works the honourable Gentleman had quoted, he could not help dissenting from several maxims which he had advanced. He thought that great author, though always ingenious, sometimes injudicious. It would be found, however, that Mr. Adam Smith, instead of going the length of the honourable Gentleman, had treated it as a vulgar opinion, that a number of millions sent out of the country during war, was injurious to commerce. The honourable Gentleman had given an admonition to the House, and he would take advantage of that admonition. He had said, that if two events accompanied each other, it was not proper to assert, that one was the cause, and the other the effect. He would say also, and he believed the honourable Gentleman would agree with him in that opinion, that, though one event should be predicted to be the effect of another, it was neither just nor proper to conclude, merely because it so happened that the prediction was founded in truth. Much had been said by the honourable Gentleman, of the distressed state of the country; but when the state of the Exchange was proved to be favourable, and the exports increasing, it would be impossible for the honourable gentleman to prevail upon the House to believe, that our trade was in such a situation as he had described it.

Indeed, it was a great consolation for the House to reflect, that commerce had poured wealth into the country in a far greater proportion, than the expences of war had drawn it out. It was a fact not to be disputed, that the quantity of money now in the country, is not less than at the beginning of the war. Having thus stated the grounds upon which he opposed the Honourable Gentleman's motion, he should trouble the House with no farther observations on the subject. He had only to state, that he left the decision of the question in their hands, and he was convinced that they would determine upon it with justice and impartiality.

Mr. Fox then rose, and said, that after the clear, perspicuous and eloquent speech of his honourable Friend, after he unanswerd and unanswerable arguments which he had urged; it would be improper to detain the House long upon the subject which was now before it. He would not, therefore, he hoped (but he was not fond of making promises) detain it long, while he made some observations on what had fallen from the Right honourable Gentleman, in a speech of great length and considerable labour. That labour had been much employed on doubtful points of theory, on which it was natural to expect some difference of opinion. On points, many of which were against himself, and which he had in no instance answered; in others, in which he had grounded his defence on an entire misrepresentation of the evidence to which he had referred; and in many, in which he had made use of the most forced and unnatural constructions. The Minister was accused of having been in a considerable degree the cause of the failure of the Bank, and that in a way to which he had not fairly adverted in the course of his speech. What was the misfortune chiefly complained of upon that head? That of the destruction of public credit. What was the mode by which that destruction was effected? It was by the notorious want of public faith in the conduct of the Minister. That was the accusation of his honourable Friend who brought this subject forward. That was the accusation which the Minister had to answer. He defended himself by elaborate arguments, tending to shew that his want of faith, or rather that the issues which he occasioned from the Bank, were not the exclusive cause of the failure there. That was never stated to be so. It was never pretended, that other causes might not have had a share in producing the effect. There were causes which we could not prevent, that might have contributed to the

the evil; but the Minister was not accused on their account, he was accused of only what he could have prevented, and what it was his duty to prevent. There was no doubt, but that the alarm of invasion had a considerable share in causing the drain upon the Bank. That alarm, perhaps, the Minister could not prevent altogether; although, perhaps, it was an alarm which he might have diminished; but the charge against him was of another nature, a charge which, indeed, he had not answered. There was one part of the Minister's argument which would be very convenient to him, if the House gave it full credit. It was this, that if it could not be proved how much could be ascribed to each cause, it was unfair to blame him from that which had happened to Public Credit. In order to answer this he would observe, it was sufficient to say, that much of the evil was owing to the conduct of the Minister, however other events might also have contributed a share in augmenting it. That such conduct had had that effect, was evident from experience. We had known other alarms of an invasion, and yet the effect was not the same upon the Bank, as had been in the present case. But even supposing the conduct of the Minister had not produced the evils which it actually did produce, yet still he would say that his conduct was criminal upon the face of it, because it had a direct and obvious tendency to produce evil. The charge against the Minister was twofold. First, that he had caused the Bank to make unseasonable advances, and to an enormous amount, upon Treasury Bills. Upon this the Minister defended himself by stating, that the Act of Parliament, upon the authority of which this practice had taken place, was not a clandestine Act of Parliament. We all know, that strictly speaking, there could be no such thing as a clandestine law; that every body was bound to know it; that it was the duty of the Members of that House, to attend to and watch the progress of every Bill in that House; but yet, speaking the language of practical common sense, it was well known that there were many things passed as business of course in that House, to which the mass of that House were inattentive; nor could the Minister blame them for being so, since he himself had stated, that in the multiplicity of public affairs, he had forgot to attend to a subject in which millions of money were concerned. However, the Minister had introduced a clause into the Act of William and Mary, which amounted to a complete evasion of the salutary provisions of

that statute. He called it a clause only to remove doubts; doubts which he hardly thought worth entertaining; so little did that appear to be so, that he had, on the contrary, a clear opinion that the Statute, before the Minister introduced his clause into it, absolutely prohibited, under a severe penalty, the issuing of money in the manner in which the Bank had afterwards issued it to Government. The Minister had said, that the Bank had done so before this clause passed. That many things had been done, which were irregular, he had no doubt; nor was it difficult to assign a reason why the Directors should apply for an amendment to an Act, the provisions of which inflicted a penalty on themselves for what (out of inadvertence, or a disposition to oblige the Minister) they had formerly done. But the Act alluded to, was not that for which the Directors applied:—they had applied only for that which would empower them to issue money to a limited sum. The Act was passed to empower them to issue money, but omitting any thing like limitation to the sum. This was criminal in the Minister; for it gave to him a fatal facility of command over all the cash in the Bank; and we all know the use he has made of that power. He said now, indeed, that he intended to make a moderate use of that power. He promised to do so. He said, that he intended to keep his word. He made that promise six times; and it was six times he broke that promise. This might do very well for such a Minister as the present; but he apprehended that, if a man was to follow such a practice in the course of private life, his reputation for honesty would not be very high. The Minister said, that he calculated upon the probability of circumstances as well as he could, but they came so thick upon him that he was disappointed. That might be an apology for the second application; but what was to be said for the 3d, 4th, 5th, and 6th: were they all to be apologies for one another, as the 2d was for the first?—They certainly could not: there was evident misconduct on the face of it. But the Minister laid great stress upon the sums of money which he had caused to be repaid into the Bank from time to time, to keep his engagement with the Directors. To which the answer was, That was not the engagement; the engagement was, that the Bank should never be in advance to Government beyond a certain sum. The Bank had never said, if he paid them one, two, three, four, five, or any number of millions, that then he should draw upon them to any

any amount he pleased. The engagement was, that Government should never be in their debt at any one time above half a million. That was the promise which the Minister had frequently made, and as frequently broken. This was a crime in the Minister. Had it happened but once, and that when Parliament was not sitting, there might have been something like an excuse for it. But he followed this practice for a whole year, and never once intimated it to Parliament, although, in that time, he brought forward a Loan, and opened, as he said, to the House, all the circumstances of the finance of the country. He concealed all this from the House and the public, even after the strong memorial of the Bank against his conduct. He even, after all this, advised his Majesty in the month of October, to tell us, that there had been a temporary difficulty, but concealed that he had thus extorted money from the Bank. Nothing appeared at that time, that he had failed to fulfil his promises with the Bank. At that time, therefore, he made no provision for this extortion. Perhaps, the Minister did not think of these trifles at that time; his mind was otherwise employed; it was occupied, perhaps, with his Cavalry, Militia, and other good and popular Bills, which were passing at that time; and he was willing that the Members of the House should go into the country with nothing upon their minds, but the plan whereby these excellent Bills should be carried into practical effect. He could not find in the time one day to come to the House, and state the truth upon the situation of the finance of the country. And now that these things were objected to, the Minister expected to be acquitted by the House, that was to say, that he laid his case before a House of Commons that had an entire dependance on the will of the Crown, and was wholly unconnected with the people, and therefore regardless of their interests. That they were, what some invidious persons stated them to be, a body of men who misrepresented the people of England. That it was enough for the Minister to recur to what had been called the burthen of a song, "He had not time." He had not time to tell us the truth of the state of the finance of this country. He had not time to ask the House of Commons, whether they would enable him to fulfil a promise which he had made without their consent, or even knowledge. He had not time to inform us of what he was doing, although he should afterwards call for taxes to defray the expence of it. He had no recollection, perhaps,

hope, of that time, although, it was his duty, to lay the documents that related to it before the Cabinet. Mr. Fox went over the material parts of the evidence of Mr. Giles, Mr. Boscawen, and other Gentlemen, as stated in the Report, in order to shew that the drain upon the Bank was pointed out to the Chancellor of the Exchequer, as well as the effect which it would produce; and also to prove, that the Directors understood the Chancellor of the Exchequer to declare and promise to them, at an early period of the correspondence between them, that no further Loan or advances were to be made to the Emperor, before those advances already made by the Bank should be reduced. The contrary of the whole faith of which promise was the conduct of the Minister, and that was the most material charge against him. He blamed the Directors for not having referred to the letter and the spirit of our Constitution, and have come to the House of Commons, and stated the whole truth, in order to give the House of Commons an opportunity of stopping the Minister in his ruinous career. But what would be the effect on the public mind in consequence of what had happened? They would feel, that the House had entered into a dreadful war upon the authority of the Minister as to its necessity. That, in consequence of the connexion between that Minister and the Bank, the expence of a great part of that war was to be supported for a time by advances made by the Bank to that Minister, without so much as the knowledge of the Representatives of the people; and this was, after all, a free Constitution, where the Minister kept from the knowledge of the people, even the mode of raising the money which they were to pay. He knew that there was some excuse for the Directors, for the terror that was held out to them might have had some effect upon their conduct, to say nothing of the possibility of another species of influence; but the Minister was left absolutely without excuse.

He proceeded upon the subject of the drain of cash, and assigned for it reasons very different from those urged by the Chancellor of the Exchequer. He ridiculed the idea that an attempt on the part of the Bank to lessen the outstanding demands against it, in order to preserve credit, would be injurious to their interest, &c. as also the motions of the Minister upon what he called the necessity of increasing the circulating medium before it was proved that our capital was increased. Such attempts resembled those of a person who, because specie was scarce,

scarce, changed his gold into silver; and silver into gold every day, in order to avoid the inconvenience of a general scarcity of specie. He contended also that there was much fallacy in the Minister's conclusions from the imports and exports in the Minister's conclusions from the imports and exports in the course of the war, and by which he had attempted to impose upon the House. Upon these points he said that there had been a *scintilla* of reason on the part of the Minister. He observed that the Minister had been pleased to say nothing to us of comfort on the general scale of Europe, well knowing he could not do so. The only point of consolation he had attempted was that of the extent of our commerce. There was one point upon that subject in which he concurred with the Minister, namely, that theories upon these matters could not be trusted, except where they were accompanied by experience. He thought the House ought to look at our increased debt with some caution. In the war which was begun by Sir Robert Walpole, the amount of our exports was only eight millions; in the year 1789, they were fifty millions, or thereabouts; in the course of the seven years war our exports increased from 13 to 16 millions. He could not, however, help observing, that he had not gained in this proportion in national prosperity. He desired the House to look at the increase of our debt, it was now increased to four hundred millions and upwards. The burthen imposed upon the people was seven millions annually, and this we were not sure we should be able to continue. There was a situation in human affairs in which it was said that ignorance was a blessing, and that it would be folly to become wise. We were now in that situation. It was hardly worth while to awake us out of our dream of prosperity, when it was clear that when we awoke we could only see that we could hardly save ourselves from destruction. The question before the House was this, whether the House would chuse to support the Minister, and thereby run the country to certain and immediate ruin, or take the chance of saving it for some time by their exertion?

Mr. W. Smith said a few words for the motion.

Mr. H. Thornton moved the previous question on the first resolution proposed by Mr. Grey, on the ground that the Chancellor of the Exchequer ought not to be censured for a breach of promise, when circumstances of an unforeseen nature had arisen which had rendered it impossible that his promise should be fulfilled. Mr. H. Thornton also made some remarks on the too sanguine calculation of the Chancellor of the Exchequer

eloquer respecting the probable income and outgoing of the country, which had led to the disappointment complained of by the Bankers. He likewise defended some positions in his *Anti-Slavery* evidence, before the House, which had been controverted by Mr. Grey and Mr. Foxon in the previous session. A few further words from Mr. Fox, the House divided on the motion for the previous question.

do not *Yes*, 208 *No*, 86
Majority 122
Adjourned at half past one. 140

The other resolutions were then put and negatived without division, excepting the last, which went to propose a vote of censure on Mr. Bury, when there appeared,

Noes (Against the vote of Censure) 206
Yes (For it) 86
Majority 120

Adjourned at half past one. 146

HOUSE OF LORDS.

WEDNESDAY, May 17.

Their Lordships heard Council in an appeal from the Court of Session in Scotland, in respect of a bill of the House of Commons. Several private bills were brought up from the Commons.

Adjourned. 146

HOUSE OF COMMONS.

WEDNESDAY, May 17.

Mr. Fox gave notice, that on Friday se'nnight it was intended, either by himself, or an able Friend of his (Mr. Grey) to bring forward a motion for a reform in the representation of the people in the Commons House in Parliament.

The Cambrie and French Laws bill was read a second time and committed.

The Debtors Allowance-bill, and the Lindridge and North Curry Inclosure bills, were read a third time and passed.

A petition was presented from the landholders and graziers, in Somersetshire, in favour of the bill against forestalling.

Mr. Secretary Dundas brought up accounts, pursuant to order,

order, of monies advanced to his Imperial Majesty, which were referred to the Committee of Ways and Means.

The House in a Committee of Supply, it was resolved that the sum of 1,620,000*l.* be granted to his Majesty for paying bills accepted by the Lords Commissioners of the Treasury; also that the sum of 833,000*l.* be granted towards paying off and discharging Exchequer bills issued by virtue of the act passed last session, and to be charged on the Land and Malt tax; the House being resumed, the report was ordered to be received the next day.

In a Committee of Ways and Means, the *Chancellor of the Exchequer* moved, that the sum of 1,620,000*l.* advanced to the Emperor, be made payable out of the loan of 14,500,000*l.* the motion was agreed to, and the House being resumed, the report was ordered to be received the next day.

The bill for guaranteeing the loan to the Emperor of 1,620,000*l.* was read a first time, and ordered to be read a second time the next day.

The House went into a Committee on the Corporation Causes bill, but there not being forty members present, the Speaker adjourned it till the next day.

THURSDAY, May 18.

The bill for making a free port in the island of Trinidad, was read a first time.

The Vagrant bill was read a third time, and passed.

The Committee on the bill for allowing an additional bonus to the contributors to the loan of 18 millions, was put off till Monday.

The bill for guaranteeing the payment on the dividend of the Imperial loan to the amount of 1,620,000*l.* was read a second time.

The Committee on the Stamp Duty bill, was deferred till Monday.

The order for taking into consideration the petition complaining of an undue election for the county of Flint, was discharged for the first of June, and fixed for the eighth.

ST. DOMINGO.

Mr. *St. John* said; that he should not have brought forward the motion, of which he had formerly given notice, in so very thin a House, had it not been already so often postponed. The subject which it embraced was extremely important, and the

circumstances on which it rested, very interesting. Gallous as men had become to scenes of destruction and misery from the scenes of horror to which they were now so habituated, the details which this subject presented, were of a character so peculiarly shocking, as he trusted would awaken the feelings of humanity in the most obdurate breast, and inspire but one sentiment as to the propriety of recalling the remains of our gallant army in St. Domingo from that land of death. When he first gave notice of a motion upon the subject, he was doubtful whether he should propose the appointment of a Committee to examine into it, or an address to his Majesty that he would give directions that the army should be withdrawn. The papers, however, laid upon the table had afforded so much information, and so much evidence, and the events which had lately taken place in Europe, had determined him to adhere to the latter mode. In addition to the enormous expence which St. Domingo had occasioned, and the melancholy list of deaths which the papers laid before the House exhibited, considerations powerful in support of his proposition, the circumstance of the Emperor of Germany having made a separate peace, gave it additional weight. We were now left alone to contend with an enemy whose military talents and civil policy had broken to pieces the formidable confederacy by which their liberty was threatened. Were the mind to give way to any thing like superstition in the events with which this was attended, it would look like a political retribution, that under the walls of Vienna those who in the manifesto of the Duke of Brunswick menaced Paris with military execution, were compelled to receive the conditions of peace from a victorious general of the French Republic. The more, therefore, to husband our strength and our resources, we ought to bring home those troops from distant regions to defend that property and that constitution, the safety of which was the original pretence for the war. The conduct of the war had frequently been discussed in that House, where there was more difference of opinion than without. In almost every discussion out of doors, the majority concurred in the sentiment that it had been shamefully mismanaged, and even it had been observed of the last Parliament, by a great man no longer in the House (Mr. Burke), that though Administration had the votes, Opposition had the opinions of the majority of the House of Commons. Whether this would hold true of the present Parliament time would shew. No where, however, had the misconduct of Ministers been more conspicuous than in the West Indies. Those who considered

considered the object of the war to be the restoration of monarchy and despotism in France, thought that warfare had a diversion of our strength, but even upon the principle that the object of West Indian warfare was good, the conduct which Ministers had followed was improper. The island of St. Domingo was of great extent, and its reduction certainly an arduous enterprise. It might be said that the assistance of the inhabitants was expected, but for this idea there was no ground. The attempt was even likely to excite the jealousy of Spain, at that time our ally. The active force of France in the island consisted of 6000 troops; the choice of the National Guards newly arrived under Santhonax, 9000; previously on the island, 10,000 disciplined Blacks; amounting in all to 25,000 effective men, to which might be added 40,000 revolted Negroes ready to join the French. The force sent for carrying the design into effect was 800 men under Colonel Whitlock. Even had the inhabitants been willing to throw themselves under the protection of this country, were they likely to do so when they saw no force to defend them? Nor was it probable they were so inclined. The same sentiments of liberty which animated France at the commencement of the Revolution extended to the planters, who sent eighteen deputies to the *Tiers Etats*. The representations of Emigrants were not good ground; and these were not justified by what appeared. The insurrections which had broken out between the planters and the people of colour, were believed to have been fomented by the royalists, and any expedition which was undertaken by this country under the direction of men of this description was not likely to meet with a favourable reception. However, it was in concert with them that the enterprise was attempted. The idea known to be entertained of this enterprise had likewise first prompted Santhonax to issue a proclamation giving liberty to the slaves, in order to induce them to defend the island. This was a measure of defence, not the result of any principle of general liberty which the French entertained. The most important acquisition of the troops under Colonel Whitlock, was Cape Nicholas Mole, where there was a very strong harbour. But as soon as it was given up by the garrison, the inhabitants left the town, a pretty strong proof that they were not favourable to our views. In the next attempt our forces were repulsed, and every thing shewed that nothing was to be expected from the co-operation of the inhabitants. After this experience of the difficulties of the undertaking, and of the disposition of the inhabitants, it ought to have been abandoned. Admitting the object to have been great, it had been tried, and

promised no success. Reinforcements, however, were brought from Jamaica, fresh attempts were made without success, till the yellow fever, with its destructive ravage, appeared. In May, 1794, General White arrived with troops from England. Port au Prince was carried, Colonel Lenox arrived with the flank companies from the Leeward Islands, and in consequence of this reduction of our force in that quarter had Guadaloupe been lost. As soon as they arrived the troops seemed death-struck; 40 officers and 600 men died in the space of two months. Two years experience shewed that nothing towards the complete success of the design could be achieved. This was the time then for Ministers to have considered the propriety of persevering in the measure. The ravages of the yellow fever were so fatal, that our forces were obliged to confine themselves to acting on the defensive, and were under no less apprehension from those who were called their friends than from their open enemies. After four years war, in short, it appeared that no acquisitions of any importance, except Port au Prince, had been obtained, more than had been acquired within the first ten days. The places which were in our possession did not afford any produce beyond the reach of the cannon. There were no imports from the part of St. Domingo in our possession. Notwithstanding that the harbour of Cape Nicholas Mole continued ours, the enemy, with their privateers from Aux Cayes, committed great depredation on our shipping, and no advantage with which our acquisitions were attended could counterbalance the expence and the mortality with which they were purchased. The expence had been found to be progressive. In 1794, it was 296,000*l.*; in 1795, 772,000*l.*; in 1796, 2,211,000*l.*; and in January, 1797, alone, it had been 300,000*l.*! Ministers certainly would be most criminal if they had not endeavoured to controul this expence, but it seems they had attempted it in vain. Were we to go on then with this uncontrouled expence? In four years, the bills on the Treasury, from every part of the world, had been sixteen millions, those from this single island were between four and five millions, more than a fourth of the whole! For a large army of 30,000 men, on the Continent, in 1794, bills to the amount of two millions, and in 1795, three millions, were drawn, while St. Domingo had alone consumed such enormous sums. But Ministers said, they had endeavoured to controul the expence. What occasion was there, in the circumstances of our possession, for a civil establishment? A person, however, with the title of Chief Judge, and first President, the only one appointed in England, which sufficiently explained

plained the circumstance, had an allowance of 2,500*l.* a year, a person who had been found unfit for his situation, and had returned to this country, but still enjoyed his salary. This was a good specimen of the jobs which it afforded. The civil establishments were in the hands of men who amassed immense fortunes at the expence of the country. The French who adhered to our cause, were actuated by motives of interest alone, and by the advantages which they derived from its service. But the mortality, which attended our continuing to occupy these possessions, were still more serious. It was sacrificing a number of gallant men to certain death, without the consolation of being useful to their country. Up to the 3d of September last, 7,500 had died, and few of these by the sword of the enemy. Till November, 1795, not more than an hundred had fallen in the field. In March, 1796, there had died, 129 officers, and 5840 men. The number of those who had fallen victims to the pestilence of the climate, might therefore easily be gathered. Nor were the men seasoned by time to the climate. The attack of the yellow fever was almost always mortal, and it was even apt to recur. After the year 1795, Ministers must have been sensible of the impossibility of succeeding in their design. In their persevering in it against every consideration of prudence and regard for the lives of so many gallant men, they had evinced a degree of misconduct which no part of their administration surpassed. As Ministers, however, had failed to advise his Majesty to withdraw the troops from St. Domingo, it became the duty of the House to supply their neglect. Mr. St. John read a passage from Mr. Burke's *Regicide Peace*, in which the system pursued in the West Indies is severely reprobated; and concluded with moving, "that an humble Address be presented to his Majesty, praying that he would be graciously pleased to give directions that the troops in St. Domingo should forthwith be withdrawn."

Mr. Fox seconded the motion.

Mr. Secretary Dundas said, that, if he were to indulge his own private inclinations, he should occupy but a small portion of the time and attention of the House, being disposed, from the view he took of the motion, to confine himself to a very few sentences. If he were to confine himself closely to the question proposed by the honourable Gentleman for the concurrence of the House, it would not be necessary for him to say many words: but, from certain general expressions which had fallen from the honourable Gentleman in the course of his speech, the House would allow it was impossible for him to remain silent under the general charges which had been

been laid against him and his colleagues; charges of a conduct, for which, if they were held blameable, they were blameable in common with every administration, and every Minister entrusted with the conduct of military affairs, in every war in which the country had been engaged for the present century. But before he adverted particularly to the several charges of the honourable Gentleman, he would make an observation or two on the conclusion of his speech. The honourable Gentleman had concluded with an extract from a book written by a right honourable Gentleman, to whose person, and to whose writings he was very willing at all times to pay the tribute of respect. With regard to the sentiments expressed by that Gentleman, in the extract which had been read, they had been long known to him; he knew, that it was that Gentleman's opinion, that if the troops which had been sent to the West Indies were applied to continental operations, the war would have been better conducted; he knew, too, that this was the right honourable Gentleman's opinion, before it was thrown into the shape in which the House had just heard it read. But highly as he thought of the sentiments of that respectable person, he could not subscribe to them, nor to any authority, however respectable, when his own understanding did not coincide with it to convince him. He would, therefore, say that nothing he had heard from that right honourable Gentleman, nor from the honourable Gentleman who made the motion, could induce him to believe that it was the duty of administration, in any war, to abandon the interests of the colonies, and to employ the strength, which should be applied to that purpose, in expeditions of a different nature. If Gentlemen would look back to our history, they would find that in no war, which was well conducted, had ever such a principle entered into the minds of Ministers; and was there ever a war, in which it had not been held the best and wisest policy to direct our force against the colonial interests of the enemy, and to the protection of our own. Therefore, when the honourable Gentleman, or any other, stated that the West India war was criminal, because there had been a great expence of money, and what was much worse, a great expenditure of lives, they were, in fact, uttering a gross libel on every administration which had ever conducted a war for Great Britain. For his part, he was old fashioned enough to feel a stronger disposition to follow up the steps of those of his predecessors, whose good conduct had obtained the suffrage of the nation, than to adopt the new-fangled ideas of peace or war, which he sometimes heard broached, be the talents

talents or situation of the person who broached them: what they might. In the war of 1763, which no one would deny had a most glorious and advantageous termination for England, how was our force directed? Against Canada, against Marigalante, against Martinico, against St. Lucia, &c. The result was fortunate, while France had not been able in that war to make one West India conquest. Not only the persons who conducted that war thought that they directed the force well; but every one since had allowed it. The present war, upon which the epithet of "*inglorious*," had been so often liberally bestowed; was, in respect to West India acquisitions, still more glorious than that of 1763, or any former wars for, with the exception of the island of Guadaloupe, Britain was now in possession of every one of the Leeward islands; so that as a war, in which we were contending for colonial interest, with France, we stood, in point of success, in a more elevated situation than ever. And as to the question, whether it was sound policy or not, to direct our force to that quarter, he would, upon the authority he had already stated, assume that it was for the interest of the country to maintain our colonial possessions; and he would give this as an answer to the honourable Gentleman who made the motion, as well as to the extract from that elegant pamphlet which he had read. At the same time he would remind the House of the peculiar injustice with which he and his friends were treated on this point. When troops were first sent to the Continent to protect Holland and the Netherlands, the House would recollect that they were arraigned from the opposite side of the House for neglecting the West India colonies; he begged of Gentlemen, then, as they must attack him, to attack him consistently, and not at one time to attack him for neglecting, and at another for preserving, the West India colonies. No longer ago than last spring, a very heavy attack was made upon him, in order to prove that the West Indies had been entirely neglected; he had repelled the attack, and proved to the House that the charge was totally groundless; and this day he was called upon to defend himself against a charge of a directly opposite nature. The Island of St. Domingo was the object of this day's attack, and an endeavour was made to prove that we should never have attempted to get possession of it, and that having got a part of it, we should directly abandon it. If it was, as it had always been held to be, right policy in this country to make it the principle object of any war to protect our own West India colonies, and annoy those of the enemy, then so far the island

island of St. Domingo was a great object, not only to secure ourselves, but to lessen the maritime power of France; for was it ever yet stated by any man, that it was not at all to be doubted, that the naval power of France always rested almost entirely for its support and strength on their possession of the island of St. Domingo. If Gentlemen would take the pains to enquire into the point, they would find this assertion confirmed beyond all possibility of dispute: they would see, that when France had full possession of it, the exports of that island amounted to no less than seven millions sterling. This was at the reduced price sugars then bore; but, at the price which sugars bring at the present day, the exports of St. Domingo would amount to full ten millions sterling; and the men employed in that trade were the foundation of the maritime power of France; and the foundation of its commerce. The island of St. Domingo alone produced one-third more than all the British West India islands, Jamaica itself included. So that he was well warranted in saying, that the sugar trade in Europe was, by the possession of that important island, almost wholly in the possession of France: and whatever afforded ground for trade, afforded also ground for maritime strength. Even in that solitary point of view, being engaged in a war with France, was he wrong to assume, that if it was possible to dispossess men of such vast resource, it was the very best possible appropriation of the forces of this country? It was in fact, a meritorious object, and was therefore of itself a sufficient answer to the objections of the honourable Gentleman.

But he had stated it much too narrowly indeed, when he spoke of it, as it affected the interests of France only; for the possession of St. Domingo was also the protection of our own resources, and of the maritime power, which we derived from the possession of Jamaica. At all times, while a war subsisted between Great Britain and France, Jamaica was the object of our continual anxiety and solicitude: for, from the contiguity and local situation of Domingo, as well as from the innumerable harbours with which the coast of that island is indented, it was always assumed as a fact, and, indeed, so plain as to be reduced to an axiom, that Jamaica was in continual danger from it. Every soldier, therefore—every sailor—every ship that was sent to Domingo was sent to Jamaica. The honourable Gentleman himself had admitted, that the harbour of Nicola Mole was of great use: it was, indeed, of incalculable

lable value to us—a harbour which commanded the whole windward passage, would be allowed by any Gentleman in the House to be at least material to us. These were topics which he had maintained in all wars, and which he would maintain now. But it did not rest here—it was yet to be considered what the situation of St. Domingo was during the whole period of the war. He begged leave to correct a mistake the honourable Gentleman had fallen into, when he said, the calamities of St. Domingo had arisen from our sending troops there. This was by no means founded in fact or reason.

The House would recollect, that long previous to the commencement of the war, there was a dangerous insurrection of negroes in that island; and Lord Eslington, who was then governor of Jamaica, sent a force to it to protect the Government of it from the Insurgents. This insurrection, though it was checked from time to time, was never completely quelled; but that very circumstance justified the measure: for on our connection with St. Domingo, depended solely the safety of Jamaica. The House, in regarding this question, would take into consideration, that in this war a scene unheard of, and a policy unexampled, were pursued. The French not only abandoned their own islands to insurrection, but promoted it, and endeavoured to make the negroes in all parts, and in our own islands, instruments to avenge them on this country. He put it to the honourable Gentleman himself, whether, supposing every other reason out of the question, Great Britain could remain an indifferent spectator of a body of five thousand negroes in insurrection, and possessed of uncontrouled power, in an island contiguous to their colonies? Was there any man who would agree, that if the negroes, being in that state, had been permitted to proceed, and gaining strength, had extirpated the planters, Jamaica would be worth one year's purchase? or that the lives and properties of the planters of Jamaica would be safe? Was there the same invasion of Jamaica, that there was of Grenada from Guadeloupe? No: for St. Domingo was in our possession. Our first connection arose, from being importuned by the planters to take the island under the dominion of England. The question then to be considered, was this, Was it advisable to close with that solicitation? And was it not matter of self-defence to prevent their being over-run with insurrections of negroes?

As to the mortality, the honourable Gentleman had not gone so far as to charge any one with an intention of taking possession of an island that they knew would be fatal to the troops, for the purpose of cutting them off. But the House would recollect, that insalubrity was not the character of St. Domingo. Even when the yellow fever attacked the troops, it was not peculiar to that island, for it raged in every other. When Sir Charles Grey went to St. Domingo, the yellow fever did not prevail. And Governor Williamson wrote (which letter Mr. Dundas read) that nothing marked the healthfulness of the climate more, than that not one man had died in it, but two of wounds. After that it was supposed, that the contagion would cease, and the island be restored to its pristine salubrity; and that it would not be the unhealthy grave which the honourable Gentleman had stated it to be.

Mr. Dundas then proceeded to shew, that other Administrations, and good ones, had sent troops on expeditions to a much more deleterious climate. At the Havannah, for instance, Lord Albemarle went there with near 12,000 troops, and between June and October 5000 men were left dead there; so that there were more men lost in that one spot, in a few months, than in the West India islands in four years of this war. Yet, that war was reckoned glorious.

When, therefore, it was the effect of the possession of that island to bring down the maritime power of France, and save Jamaica from devastation—when it was considered what the calamities would be, if a large body of insurgent negroes, murdering the planters, men, women, and children in St. Domingo, would extend their system of insurrection to Jamaica, and that this was prevented;—would the honourable Gentleman say, that the cause of humanity would have gained any thing by abstaining from taking possession of St. Domingo?

As to the expences, considering the magnitude of the object, they were not so great; they were laid out under officers who were instructed to be careful, and who he believed were so, and whose accounts were under investigation; but he must say, the officers were in a delicate situation—they had many things to plead in defence of not exercising strict economy, and would perhaps have reasons to give for the expences, which forbade the House at this time deciding upon it. It was rather unfair, however, in the honourable Gentleman to accuse Ministers of a job, when there

there was only one person whose appointment was made in this country. Ministers, however, he said had taken a decided plan, and given instructions prohibiting the expence of Civil and Military establishments in that island (excepting the garrison) from exceeding 300,000*l*.

But admitting as the honourable Gentleman did that the harbour of Nicola Mole was the best in the West-Indies, could he be serious when he proposed to abandon it and leave the whole without protection, to the people who had enabled us to make head against France? and to suffer the negro insurrections to ruin that island and spread the same destruction to Jamaica? or if it was even to pass from us to France, would it be advisable to give up such a stake, which would be so great a material in negociation. To shew that it had not all the time been unproductive to us, he stated that 1796, the part of St. Domingo in our possession produced a million and a half, and employed above 400 ships. Upon the whole, therefore, he opposed the motion.

Mr. *Wilberforce* was averse to the motion now before the House, on account of the particular circumstances in which the country was placed, and because he was not in possession of information sufficient to enable him to form a judgment upon the subject. From the information, however, of which he was in possession, and from what he had heard from his right honourable Friend, he was neither disposed to yield assent to his propositions, nor to approve of the mode of conducting the war in the West-Indies. His opinion was, that the best policy we could pursue in the West quarter of the world was to concentrate our force in order to protect our own colonies, wherever they were sound and untainted. A different system had been pursued, the merits of which he hoped would undergo investigation at the proper time. Of that system he was not disposed at present to think highly, but he should suspend giving any decided opinion till the House were put in possession of all the information requisite to enable them to form a proper judgment of it.

Mr. *B. Edwards* entered into an history of all the transactions relative to our establishment in St. Domingo, which he allowed to have been attended with many misfortunes. He did not think, however, that they ought to be ascribed to the misconduct of his Majesty's Ministers. He despaired of our ever being able to plant a colony in that island, and he hoped that Ministers would learn wisdom from a disastrous experience, and abandon the plan of expending men and

money upon it to the extent in which they had been hitherto expended. He could not, however, vote for the motion now before the House.

Mr. Fox rose for the purpose of saying only a few words. An honourable Gentleman (Mr. Dundas) had affixed upon him a charge of inconsistency, in at one time accusing him of sending too few, and at another time of sending too many men to the West-Indies. He pleaded guilty to the charge, but denied the inconsistency. If a West-India expedition was to be undertaken for the purpose of making and defending new conquests, he contended now, as he did then, that Sir Charles Grey was sent with too small a force. But where was the inconsistency between that opinion and that which he now professed to hold, that no expedition should have been attempted against St. Domingo? The honourable Gentleman endeavoured to justify the conduct of the present war from the mode of conducting the war which ended in 1763. But he would ask whether the objects of the two wars were similar, or whether the situation of the contending parties were the same? He did not know what was the object of the war now, or whether there was any, but the object at its commencement was the destruction of the Jacobin Government of France, and the establishment of monarchy in its place. Upon this point therefore the argument of Mr. Burke was unanswerable. If in the opinion of Ministers they could make such an impression upon France as to produce that effect, the force employed in the West-Indies would have been much more advantageously directed against the territory of that country; for supposing that we had taken all the French West-India islands, would our conquests in that quarter have brought us nearer our object, namely, the re-establishment of monarchy upon the ruins of the Republic? But the fact was, the government of this country neither had the policy to adopt Mr. Burke's principle nor to reject it. They acted upon it so far as to rouse the enthusiasm of our enemy, and to make her an armed nation, but they did not pursue it as a chief and principal object of the war. In regard to St. Domingo, the only apology that could be offered for their conduct was, that they had flattered themselves that something would happen which did not happen, and that they were disappointed; and this was the compensious excuse which might be made for the whole conduct, or rather misconduct, of the war. The honourable Gentleman

man contended that the expedition against St. Domingo was the best defence of Jamaica. Allowing it, what had this defence of Jamaica cost the country? Besides the internal defence of the island, its external defence had cost 4,300,000*l*. What would they have said if on the first year of the war, when the whole expences of that year were said to amount to only 4,500,000*l*. he had predicted that that war would be persisted in till the defence of Jamaica alone would cost that sum? He would have been called a great exaggerator; and yet it was to this exaggeration realized that Ministers now owed the defence of their conduct. The honourable Gentleman stated that the expence in future was to be reduced by a regulation which had been made. He contended that it was necessary to grant a discretionary power to officers in the island respecting the expence incurred. Granted. But if this was necessary before, would it not be necessary in future? so that if they believed his defence they could not believe his promises. He agreed with the honourable Gentleman, that it would be better to give up the island to the French than to the Black Insurgents. But though he had been accused of being an advocate of the French, he did not carry his kindness for them so far as to wish to expend British blood and British treasure, in order to preserve an island with the view of ultimately giving it up to them. The hon. Gentleman argued in extenuation of the mortality in the West-Indies, that as many lives were sometimes lost in one battle upon the Continent. But was there no difference in the circumstances in which the lives were lost; no difference between falling in battle, which was always accounted glorious, and sometimes even courted with enthusiasm, and being sent to a distant island to fall a victim to a pestilential climate and an incurable disease?—As he saw no other means of putting an end to the enormous expence, and the dreadful mortality, he should vote for the motion of his honourable Friend.

Doctor *Laurence* said, that he had never yet risen in that House, but when something which had fallen in debate, seemed in some way to apply personally to him, so far as to render it necessary that he should explain his sentiments. Some topics used by the last speaker, and one more particularly introduced by the member who moved the question, appeared to him to be of that kind.

He certainly agreed with the right hon. Gentleman, that
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the conduct of Ministers in former wars, did not in itself form a justification for the conduct of Ministers in the present war; and he fully concurred in the opinion which had been quoted, that menaced as we were by a new and enormous evil, so long as there was any prospect of directing the war effectually against the metropolis of the mischief, it would have been wise to have abstained from all distant expeditions, for the purpose of increasing our hostility in the quarter most material. The right hon. Gentleman himself in the year 1782, had proposed at once to acknowledge the independence of America, that we might pour down our whole force on the French colonies; yet, had he in the present war directly adopted and acted upon those principles, which he now hypothetically assumed as a ground of argument, he would not, in Dr. Laurence's opinion, have been inconsistent: he would have shewn himself a still greater statesman.

But if three years ago it was right to depart from the military policy of all past times, it was possible that the circumstances of the existing moment, different from those which marked the commencement of the war, might make it inexpedient to abandon what it might have been better never to have attempted.

Indeed the question before the House was not, whether large reinforcements should be again sent to the West-Indies with a view to conquest; it was not even whether we should maintain all that we at present possess there; it was simply whether we should voluntarily withdraw our troops, and wholly evacuate St. Domingo. He could not himself approve such a measure, either on the supposition that the war should continue, or that it should be terminated by the pending negotiation.

The great importance of some posts which we occupy in St. Domingo, to the safety of Jamaica and for the protection of the windward passage, had been forcibly stated by an hon. Member, whose local information gave him peculiar authority on this subject. Yet with these advantages, Dr. Laurence observed, that he knew from his own practice in the Admiralty courts, how difficult it was to check the depredations of the small Republican cruizers, which swarm about the shallows of those coasts; and it should be recollected that from the present relative situation of France and America, it might soon be the duty of this country to extend her protection to the commerce of the United States in that part of the globe.

globe. Would it then be prudent to give up to an enemy so active and desperate, places and positions of so much consequence, which having been once acquired and fortified by us, may now be kept with little comparative expence of blood and treasure?

As to our prospects from negotiation, it had been stated that we could only get out of the war by the willingness of the enemy to make peace. If so, it would be necessary to consider what that enemy was most willing to obtain by peace. On this point he referred to a report made in last June to the Council of Five Hundred, by *Echassériaux* the elder, who computing (it mattered not for the present purpose whether truly or falsely) the whole balance of trade in favour of France before the Revolution to be upwards of six millions sterling, takes credit for about seven millions as the value of the exports to the colonies, which during the war had become a total blank, as indeed has every other article in the commerce of France; and a large portion of that report is occupied in impressing on the public councils of his country, that it should be their leading object whenever they can effect what they may think, a solid and honourable peace, to restore their commerce by obtaining re-possession of their colonies. If this then was their avowed object in making peace, he thought it would be little short of madness to abandon previously and gratuitously that, upon which they set so high a value, and which, therefore, in treating with them would make so advantageous an article of barter, to consider it in no more elevated a view than as a mere merchandize for bargain and sale. He must also add, that such a surrender at the present moment, would in his eyes look too like a poor subterfuge to avoid a disgraceful acquiescence in the inadmissible preliminary demanded by the enemy, that the basis of all future negotiation must be their constitution and their laws; those laws and that constitution, by which, while they annexed for ever to France dominions recently conquered from the House of Austria, they at the same time included as integral parts of their own territory, the very colonies and foreign settlements which had been from the beginning of the war in our possession.

But there was one consideration, he said, which must weigh down all the rest in the estimation of a British House of Commons: they could not agree to the Motion without a violation of public faith, the Planters of St. Domingo having

having been received into the protection of this country in the manner related by an honourable Member under the gallery, to whom he had before alluded; and the French Republic not having yet annulled those detestable laws by which they punished Emigrants contrary to the very spirit and letter of their existing constitution in other parts of it; it would be both unjust and cruel to sacrifice those men to the dreadful consequences which would ensue by an abandonment of that colony.

He did not know whether it was in reference to this argument, that the right honourable Gentleman, who spoke last, had asserted all the crimes and horrors of St. Domingo to have originated in the conduct of the White Royalists. He would not discuss that question now at large. Yet, he could not but caution the House against giving implicit credit to the assertion. Those afflicting scenes arose, according to all his information on that subject, chiefly from the machinations of a club at Paris, calling themselves the Friends of the Blacks, one of whose principal leaders was the Abbé Gregoire; but the immediate cause of the first great devastation of that flourishing island was the impolitic decree of the 15th of May, 1791; by which, the National Assembly, unable to reconcile their colonial system with the metaphysical maxims of their Revolution, lapped the foundation of both, by declaring the constitution of the colonies to be a necessary exception to general principles; took from the White Colonists the privilege which they understood former decrees to have allowed them; of legislating for themselves and the other inhabitants of the islands; put the men of colour on an equal footing with the Europeans; and indirectly admitted the right of the slaves to liberty, though their enfranchisement was postponed from motives of prudence. And this sort of compromise between justice and policy, where a right is admitted and the enjoyment of it refused at the discretion of one, who can have no natural authority to be the judge in that respect, must, (Dr. Laurence said), in his opinion, always have a tendency to produce similar consequences more or less disastrous.

The actual enfranchisement of the negroes, which the right honourable Gentleman had attributed to the hostility of this country, because it was not formally decreed by the French Convention, until 1794, Dr. Laurence considered as the obvious and inevitable result of the various contradictory

dictory laws passed by the first National Assembly and the exertion of the club under *Gregoire*. [Mr. Fox however having said across the House, that Abbé *Gregoire* was not for making the negroes free ;] Dr. *Laurence* mentioned some particulars which induced him to think differently ; but he added, that it was of little importance, as *Brissot* and *Robespierre* were both active members of that club, and both warm advocates for the negroes, so that when they became the Governors of the Country, the measure followed of course.

He then mentioned some of the particular cruelties exercised by the mulattoes and negroes, during their insurrection in the year 1791. Men were sawn asunder between two planks ; some nailed to gate-posts, and their limbs gradually lopped away with hatchets ; others dead alive to cover drums with their skins ; and a white child stuck upon a pike, served the insurgents for a standard. The chiefs, in some instances, forcibly kept seraglios of white women ; in others, they violated wives and daughters on the dead bodies of their husbands and fathers ; and committed many other enormities, which no language can reach, sparing neither age, sex, nor condition. To the hazard, almost to the certainty of similar torments and intolerable afflictions we should deliver up the unfortunate colonists, if we should now precipitately withdraw from them that protection, which we had solemnly promised.

Having thus declared his opinions on the general merits of the question, he now proceeded to notice a particular charge which he understood to have been brought by the honourable Mover against one department of administration. It related to the appointment of Monsieur *Lambert*, to be First President of the Council, and Chief Justice of St. Domingo. On the face of this transaction, he could not conceive how it could be imagined to be corrupt. In favour of whom was corruption generally practised ? Of those, who, by their influence, by their connexions, or their dependants, could earn the wages of corruption ; not of a friendless stranger, who had sought a refuge, and was an exile here. As he had not been present when the Motion was made, he was not exactly acquainted with the manner in which the charge had been supported ; but he would relate to the House what he happened to know of the appointment.

Monsieur *Lambert* was the son of a magistrate who had

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served with credit in some of the first offices under the Monarchy of France, and he had himself been some years in judicial situations of high rank ; he added also to professional knowledge, a degree of classical erudition not common among his countrymen, which, in obscurity and poverty, he was employing for the benefit of this country, when he was named to his present office. The noble Secretary of State for the Home Department, in whom was the disposal of that office, requested a French Gentleman, who had himself been a Councillor of the Parliament of Paris, to recommend a fit person for so important a post, and he was told in answer, that if every member of the profession were desired to name two persons, though each might name himself for the first, the second would most probably be *Monsieur Lambert*. His character being found, on enquiry, to correspond with this description, he was immediately appointed without any application, or even knowledge on his part ; but from the present circumstances of the colony, he was appointed with only half the salary enjoyed by those magistrates under the old government, to whose duties he succeeded. *Dr. Laurence* said, he trusted that the candour of the honourable Mover would see in this transaction, so explained, nothing but that purity, which he believed, would always be found to distinguish the noble Secretary of State, in the exercise of all his public patronage.

He concluded by saying, that on the grounds which he had submitted to the House, he should give his negative to the Motion, as contrary alike to the interests and good faith of the nation.

Mr. Wm. Smith lamented the mutual cruelties which had been practised by the whites and blacks on each other, and condemned the civil establishment of *St. Domingo* (of which only five parishes were in our possession) which he said nearly amounted to the whole expence which France was at, when it retained a much larger part of the island.

Mr. St. John explained, after which, the question being called for, there appeared—

Ayes,	—	—	46 31
Noes,	—	—	21 110
Majority			85

HOUSE

This being upon this cause, Earl of Lauderdale, Earl of Errol, possessed him of thirteen representatives were assembled in at the table as chairman,

The Lord Chancellor rose and . . . cuity and power of detail, submitted the . . . the case to the Committee, stating correctly, as now, the different arguments urged on each side by the Court, applying them respectively to the points on which they had bearing, and shewing by a strain of reasoning, equally simple and convincing, the degree in which their estimation was to be appreciated, and to what extent their application was to be measured. His Lordship considered the case in two points of view—possession undisturbed for more than a century, and the legal holding of an honour under nomination, according to the received practice, which prevailed for ages in Scotland previous to the act of Union. He explained all the peculiar attendant circumstances of the cases, and stated that Gilbert, Earl of Errol, surrendered his honours to the King in 1666. That the power of nomination was variable, the Peer not only having the power to nominate at will, but to grant a nomination on his death-bed; that Earl Gilbert made two distinct nominations, under the last of which, that of 1674 the next Earl took his title, and he and his descendants, had enjoyed it and their seats in Parliament ever since.

In the course of his speech his Lordship enumerated six or seven different cases, each of which afforded some strong confirmation of the validity of the Earl of Errol's title, and he also took notice of the case of the Earl of Stair, who claimed under a nomination executed in the year 1740, which the House without further explanation rejected on the ground that it "was not valid in law," which obviously was the fact as no power on earth could give validity to a nomination constituting a British Commoner, a peer of Scotland, after the act of Union.

WOODFALL'S PARLIAMENTARY REPORTS.
After a copious speech by the City Remem-
brance upon which those of this kind were
his Lordship concluded that it would be very in-
convenient for the House to come to their
age, he had should present
his claim, very delay in
elected, Lord . . . was
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served with credit in some rich with legal information on the narchy of France, and the tenure of a Scotch honour is founded, judicial situations of the Earl of Errol, had been called upon to defend his title, had among his counsellors bar to make out a claim to the peer- he was employed such a surplusage of proof, that he was named been ready to declare, that he had fully established State for this therefore moved " that the Earl of Errol is duly of that

himself. *Hay (Earl of Kinnoul)* said, after the very able and in- recoment speech of the noble and learned Lord, it was not ne- toldary for him to trouble their Lordships with more than a few observations. He agreed with the noble and learned Lord fully, one point only excepted. The noble and learned had considered long possession as rather a ground not so much to be relied on, as the legal formality of a nomination under the antient practice. He thought long possession was of itself a very sufficient ground, and most especially when attended with publicity, as was clearly the case, of the Earls of Errol, who having held the hereditary office of constable of Scotland, and enjoyed its privileges, might be said to have sat in Parliament under the king's immediate eye and cognizance. His Lordship in a summary way went through all the particulars of the case, and coincided in opinion with the Lord Chancellor in every other part of it.

Upon the question being put, the *Contents* had it *nemine dissente*, and the chairman was ordered to report the same to the House.

HOUSE OF COMMONS.

FRIDAY, May 19.

WET DOCKS.

Mr. *Alderman Combe* presented a petition on behalf of the Company of Fishmongers in the City of London, against the bill for making Wet Docks, and praying to be heard by Counsel against such parts of the bill as may affect them.

Mr. *Manning* stated, that the bill had been before the House now for a great length of time; this was its second session. The Corporation of the City of London was now in the course of opposing it by Counsel before the Committee to whom the bill was referred. He knew of no distinct matter that could be urged by the Fishmongers Company, that was not likely to be urged by the whole Corporation. He apprehended that peti-
tions

tions of this kind were brought forward by the City Remembrancer. He thought that if applications of this kind were granted, they would occasion a delay which would be very injurious to the progress of the bill.

Mr. *Alderman Combe* said, the petition was brought, to him by some of his constituents, with a desire that he should present it. He knew of no intention to create an unnecessary delay in the progress of the bill.

The question, that the petitioners be heard by Counsel ? was put and negatived, and the petition was ordered to be laid on the table.

BUTCHERS MEAT.

On reading the order of the day for the second reading of the bill to prevent the forestalling, &c. of live cattle,

Mr. *Mainwaring* stated, that as he understood there were some objections to the bill, he should move that it be referred to a Select Committee who should examine the matter and report their opinion, after which he should propose that it should be referred to a Committee of the whole House.

Mr. *Hawkins Browne* thought the bill very objectionable, as it was calculated to discourage the growth of cattle by discouraging the sale of them. He wished that the hon. Gentleman would withdraw his bill, and bring in another, which should obviate that objection.

The *Speaker* observed, that the bill now before the House might be so modified as to remove the objection which had been made to it.

Mr. *Hobhouse* was against all legislative interference in matters of this kind. Trade of every kind he thought should be left perfectly open. Legislative regulations were in general useless or injurious.

Mr. *Bastard* approved of the object of the bill. It was not to regulate the markets, but to break up a combination which kept up the price of butcher's meat. The price was increased by the cattle passing through the hands of so many persons, each of whom had their profits.

Mr. *Vanfittart* agreed with his hon. Friend near him (Mr. Brown), in the observations he had made. He hoped, that in any regulations that might be made, care would be taken to prevent the buying and selling of cattle the same day.

The bill was then read a second time, and committed.

Mr. *Mainwaring* moved, that the report of the Committee on the petition of the Cutting Butchers, presented last session of Parliament, be referred to the said Committee.

Ordered.

Sir

Sir Wm. Pulteney said, the bill which had just been read was of very great importance, and he hoped the House would not consider, because there was so little opposition to the second reading, that the matter was decided upon.

The bill to guarantee the payment of the dividends on the loan of 1,600,000*l.* to the Emperor passed a Committee of the whole House, and the report was ordered to be received the next day.

The adjourned debate on the third reading of the Corn bill was further adjourned to Wednesday next, upon the motion of *Mr. Ryder*, who intimated that he had not changed his opinion upon the subject.

Mr. Coke (of Norfolk) said, he had no objection to this bill; from the favourable prospect of the harvest, he was happy to say there was no appearance of any necessity for continuing the restriction which was proposed to be taken off by the bill.

Mr. Alderman Curtis presented a petition from the prisoners confined for debt in Ludgate, stating certain hardships, and praying relief generally.

Ordered to lie on the table.

MARRIAGE OF THE PRINCESS ROYAL.

The *Chancellor of the Exchequer* moved, "That an humble address be presented to his Majesty, to congratulate his Majesty on the happy nuptials of the Princess Royal with his Serene Highness the Hereditary Prince of Wirtemberg."—Carried *nem. con.*

He moved another to the Queen; and also, "That a congratulatory message be sent to the Princess Royal and his Serene Highness on the same happy occasion."—Carried *nem. con.*

OATHS.

Mr. Sheridan said, than when the bill for raising the Supplementary Militia was before the House, he had made some observations respecting the situation of Roman Catholics who might be drawn for that Militia. He had then observed, that according to the oath administered to the army such persons were under the necessity of swearing they were not Roman Catholics, or of suffering very severe penalties if they could not find substitutes. The right hon. Gentleman, opposite to him, (*Mr. Pitt*) wished him at that time to refrain from pressing the subject on the House, as he had some general regulations in view with regard to oaths. He found now, that another hon. Gentleman (*Mr. Wilberforce*) intended to make a motion upon the same subject early in the next week, he should therefore take that

that opportunity of stating his views more fully to the House, and of bringing forward the proposition he originally intended.

DISMISSAL OF MINISTERS.

Mr. Alderman *Combe* then rose to call the attention of the House to the momentous subject of which he had given notice. In doing this, he could not help saying he wished it had fallen into abler hands, but whatever fate awaited it, he must perform his duty to his constituents, by whom he was directed to bring it forward. He then took a concise view of the present administration from their commencement to the present moment. In the year 1784, it was well known what secret influence was used by those who are now in power, and it was needless for him to detail the particulars of that time, and the powerful arguments which had been often urged against the principle upon which that power was obtained. The House recollected also the manner in which the present administration had acted in the different armaments against Spain, and against Russia, in which they had made use of all their influence in Parliament to prevail upon the majority to adopt measures which were notoriously against the voice of the people at large, and which they themselves afterwards abandoned, and by which they degraded their own Parliamentary majority. These things he only glanced at accidentally, for as they did not form any essential part of the matter which he had now to submit to the House, he should not dwell upon them. He should confine himself to the cause which his constituents had for instructing him to come forward and to take the part which he was now taking. That cause was the present unfortunate war. In discussing this point, candour directed him to confess, that at the commencement popular opinion was with the Minister upon the necessity and justice of the war. He never saw either that justice, or that necessity; and the public at large now thought as he always had upon that subject. But granting, for the sake of argument, and for argument only, that the war was just, was necessary, and unavoidable, he would then call to the recollection of the House, how the Ministers defended the war; what reasons they assigned, or rather what pretexts they made use of for its continuance, what vigour was shewn, what wisdom appeared in the advice they gave to Parliament from time to time upon that subject. What objects did they say they had in view? In the year 1794, the Chancellor of the Exchequer declared, that to restore monarchy in France was the object of the war. This was denied on the other side, but persisted in by Ministers until it became too ridiculous

ridiculous to be supported any longer. Then the avowed object was changed into "an indemnity for the past, and security for the future," upon this plea the people were called upon to support the war for a considerable time; but this again was abandoned, and it appeared, that in proportion as the French were successful, Ministers changed their ground. Then they said that we must pursue the war, "until there should be established in France, a Government capable of maintaining the accustomed relations of peace and amity with other powers." At this very time that plea appeared to him to be ridiculous, for France had then proved it was capable of maintaining the relations of peace and amity with other powers, for it had entered into alliance with some, and had preserved that alliance. Some time after this Ministers smoothed themselves down and softened their language; they admitted that France was in a state in which we might endeavour to negotiate with them; and after taking a very circuitous and feeble mode to negotiate, they received for answer that if any negotiation was to be opened, it must be carried on at Paris; upon this Lord Malmesbury was sent to Paris. The event of that mission, as well as the manner in which it was carried on, were much too well known to the House to need any detail. It was from a general view of all these things combined that he maintained that the insincerity of Ministers was visible to every man in the kingdom who chused to look impartially at their conduct, and that their incapacity to manage the affairs of this country was manifest. As manifest did it appear to him that these Ministers could never conclude a peace with France upon terms that would be honourable, or in any way advantageous to this country. They had all of them in turn used the most irritating and abusive language against the French, a circumstance which every man must feel to be a great hindrance to the carrying on any negotiation with confidence. They had always stated this war to be a war against French principles. They had attempted, but in vain, to extinguish these principles by the sword. From all these considerations it appeared to him that nothing could be more manifest than the propriety of the motion with which he should conclude. He must repeat, that he lamented the subject had not fallen into abler hands, but he had done his duty in the best manner he was able. He had one consolation, however, which was, that he did not only follow the dictates of his own mind, but also followed the general wish of his constituents; their instructions alone would be enough
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for his authority; and their judgment should always be sufficient for his guidance. He concluded with moving,

"That an humble Address be presented to his Majesty, praying that he will be pleased to discontinue from his councils his present Ministers, as the best means of obtaining a speedy and honourable peace."

Sir *William Milner* supported the motion; in doing which he was persuaded that he followed the unanimous wish of his constituents, for the city of York had unanimously expressed their opinion upon that subject in the Petition and Address which they directed him to present to his Majesty. He was convinced also, that if the Members of that House were to act as their constituents heartily desired they should, they would, almost to a man, vote for the present motion, and endear themselves to the public at large. He verily believed, that unless the administration of this country be speedily put into other hands, the nation would very soon be undone.

Mr. *J. H. Browne* rose to oppose it. He acknowledged that the subject was of the highest importance, and therefore he could not consent to give his vote on it without making some observations which appeared to him very necessary for the House to take into their consideration. The motion of the worthy Alderman was no less than for the dismissal of the present Administration. Before he could give his assent to such a motion, it must first be proved to him that the Administration had done something for which they deserved to be dismissed. So far from that being the case, he was clearly of opinion, that the present was the best Administration, and had done more for the welfare and interests of this country than any he had ever known or heard of. He had been in Parliament twelve years, and had observed their actions very deliberately, and also the great talents of the Gentlemen in opposition, who had been all that time continually watching and attacking them, and it was from this observation he had formed his opinion. The worthy Alderman who made, and the honourable Baronet who seconded the motion, had both of them declared they thought themselves bound to follow the instructions of their constituents; and as the representatives of the two first cities in the kingdom, their opinions were certainly entitled to the highest respect. For his own part, he had the honour to represent a very populous place. His constituents consisted of about two thousand. In returning him their representative they had done their part. They had elected him to act for them to the best of his judgment.

That was his part, and that only would he act. If his constituents chose to instruct him, he should still pursue his own judgment, in spite of their instructions, in case he differed with them in opinion. If they were displeased at this at the next general election, they might reject him if they pleased. He therefore differed altogether with the worthy Alderman and the honourable Baronet, on the subject of implicitly obeying instructions from their constituents. He looked upon himself as a really independent man, and had never received or solicited any favour from Ministers. With regard to the present Administration, he thought the country owed every thing to them. The three greatest blessings which a country could possess were *liberty*, *tranquillity* in its internal concerns, and the *general prosperity* of it. With regard to each of these, no Administration had ever done so much for their security and preservation as the present. As to the first point, liberty, it was under the auspices, and with the consent of the present Administration, that juries had received, unequivocally, the right which had had been doubted and disputed of judging of all the circumstances of the case in point of *law* as well as *fact*. It was under the auspices of the present Administration, and by their exertions even against very high and powerful authorities in that House, that the *continuance of an impeachment* had been carried. It was to the eloquence of the Chancellor of the Exchequer that that measure was chiefly to be attributed. He who of all other men might be most likely to be himself harrassed by a long and tedious impeachment. It was by the present Administration that the bill which was so obnoxious to the people of Canada had been repealed, and a lovely system of freedom had been substituted in its place. When sedition had some time stalked abroad with gigantic steps, an Administration hostile to liberty would have taken hold of the opportunity, and endeavoured to contract her powers. But had the present Administration done this? No; they had touched the subject with a lenient hand, and the bill they had brought forward for preventing and punishing sedition, they had moderately and gently limited to the term of two years. Though the most seditious meetings had been held, which threatened, if longer suffered, the most dreadful consequences to the country, the present Administration had not taken advantage of it to prevent meetings altogether, which they might have done. They had not prevented meetings for any purpose within the num-
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ber of fifty; and by a lawful notice being given, any number of people whatever might meet for any purpose actually assigned in such notice. Mr Browne then proceeded to remark on the second point, tranquillity, which he said had always been so clear, from the excellent measures adopted by Administration, that it was unnecessary for him to go any further into the subject, which spoke so plainly for itself. He now came, he said, to the third point, "the general prosperity of the country," and on this he was certain no former Administration could ever claim, by any means, equal merit with the present. He would divide this head into two periods: the first from 1784 to 1792; the second from 1792 to the present moment. In the year 1784, the present Chancellor came into office, and from that time to 1792 no country ever flourished more, nor did this country ever enjoy so large a portion of general prosperity. By means of his great financial abilities he raised the funds, which he found at 64, during the course of that period, to 97 or 98. In the same proportion with the funds the trade, commerce, manufactures, agriculture, industry and ingenuity of the country kept equal pace in their increase of general prosperity, and the country had arrived to the most unexampled height of happiness. The Peace of 1783 was supposed and said to be precarious, but by the great wisdom of the measures adopted by the present Administration, it was rendered not only permanent but highly beneficial to the commercial and other interests of this country. The other period to which he had now to allude he was sorry to say was a painful reverse. Those political evils, however, which had caused it, were entirely owing to the French Revolution, which had suddenly risen to a head, and, like a swelling torrent, burst every natural and artificial bound, and swept away all before it. It was worse, he said, than the first eruption of the Goths and Vandals, or any other savage nation that had ever been heard of. It threatened destruction to every civilized state and regular Government in Europe. Much had been said, he observed, on the point of avoiding the war, and great blame was imputed to Ministers for not doing so. He denied positively that it was possible to avoid it; and if it were, he was certain, he said, that by avoiding it we should have been placed in a much more lamentable state than we now were in. Blame had also been imputed to Ministers for the expeditions which they had planned against the West-India islands of the enemy. This was also with-

out cause. The want of success in that quarter was not owing to any deficiency of wisdom in the measures pursued, or the plans adopted: it might fairly be set down to the unfortunate circumstance of the yellow fever breaking out in Philadelphia, and being from thence conveyed to the West Indies, where it operated like a plague or pestilence, and made a climate which had been considered as salubrious in former wars, so pestiferous as to change the productive soil of every island into a hungry and universally yawning burial-ground. He contended that the war, though disastrous in some points of view, was absolutely necessary; and, taking it altogether, was the most glorious war that ever this country was engaged in. Our trade had increased in a degree of proportion unknown in the course of any former wars. The people owed every thing to the present Administration for entering into it, for they had by that, and he believed by that alone, kept the scene of action entirely from this country. It had ravaged and destroyed every part of Europe except this country. They had demanded the most dreadful requisitions of every power on the continent, and the Grand Duke of Tuscany had been obliged to sell his jewels in order to raise the last requisition of one hundred thousand crowns which they had levied on him. From these evils we have been saved by the present Administration. Would we change them for any other Administration in Europe? No, he was bold to say. Could we change them for any other set of men, in this country, who were likely to be of more service to its interests? He believed not. He knew well the great talents and splendid abilities of several of the Gentlemen opposite to him, and could wish they would act in union with those on his side, but he feared that wish was vain. Mr. Browne then took an average view of the bills of inclosures and canals, during four years before the war, and the same period since its commencement, and shewed, that in the latter period they had greatly increased. There was one point he begged leave to observe upon before he sat down, which was the great importance of the immediate preservation of tranquillity. This the present Administration had, by the wisdom and firmness of their measures, uniformly obtained; he was afraid that removing them would greatly hazard this important matter, and this was a powerful reason with him for opposing it. He begged pardon of the House for detaining them so long, thanked them for the patience with which they had heard him, and concluded by giving his decided dissent to the motion.

Mr.

Mr. *Alderman Curtis* observed, that though his honourable Friend boasted of obeying the instructions of his constituents, he had fallen short of them. His Majesty's Ministers were, in these instructions, denominated weak and wicked, but his honourable Friend had thought proper to leave that part of the story out. He must confess that his constituents also instructed him to make or support this motion, but he gave them to understand, that he should vote according to his conscience. He did not think it necessary for him to go over the same grounds with his honourable Friend who spoke last. He declared he should vote against the motion.

Mr. *Alderman Anderson* said, it was true a number of the Livery of the city of London had voted that this motion should be made, but he did not conceive that they constituted a majority of the Livery; for there was a petition expressive of different sentiments, signed already by a great number of that Livery, and he had no doubt it would be signed by a great many more. He did not think that the present Ministers were either weak or wicked, but he believed there were among their opponents out of that House many that were wicked indeed; who endeavoured to introduce anarchy and confusion into this country. He could not think of any thing more dangerous than to endeavour to remove his Majesty's Ministers at a time when it was probable they were negotiating for peace.

Mr. *Curwen* observed, that it was common for persons in this House to pretend that they were right in exercising their own judgment in opposition to that of their constituents. It was his opinion, that Members of Parliament were not only bound to listen to the instructions of their constituents, but to obey them. That House ought to speak the sense of the people, and unless they obeyed the instructions of their constituents, that could never be done. It had been argued in favour of the present Minister, that he had brought the country to an unexampled pitch of prosperity previous to the present war. He had, however, never heard any arguments that could convince him, that the prosperity of the country was at all owing to the measures of Administration. It had been said too, that Ministers had, by the armaments they had wisely fitted out, prevented war with Russia and Spain. Perhaps, however, some wiser measures might have been adopted for preventing those wars, than by armaments, which cost so many millions to the country. But the present discussion should be confined to the period since the commencement of the present war. Indeed, whether for the defence, or the condemnation of Ministers, it was unnecessary to go beyond that period. Ministers

nisters were highly criminal in refusing to take those steps by which they might have avoided the calamities of war. It had been said of the side of the House on which he stood, that they always opposed the war with indiscriminate violence. They had, indeed, opposed it on the just principle, that no war should be commenced without endeavours being made to prevent it by negotiation. If Ministers could not negotiate at the commencement of the war, why did they not take the opportunity when the armies of France were driven back within their territory. It was obvious that they could then have made peace upon better terms than at any other period of the war. Their neglecting to seize this opportunity of making peace was a sufficient proof to him that they intended to interfere with the Government of France. It proved that the war was, as it had been called, a war of Kings against the People. The honourable Gentleman (Mr. H. Brough) had made the passing of the Traitorous Correspondence Bill, and the suspension of the *Habeas Corpus* Act, grounds of defence for his Majesty's Ministers. It was extraordinary, that those violations of the Liberties of the People should be seriously urged in the defence of those who had committed them. From the two bills to which the honourable Gentleman had also alluded, the country had experienced the most disastrous effects. Since they were passed had not the navy been disorganized, and disaffection widely diffused; if the present system was persevered in, these discontents would still increase, and they would one day burst forth with an irresistible fury, which would bear down all before it. He was not for a change of Administration, which should have only for its object the putting one man into the place of another. The country would gain nothing by such a change; the change must be total, not of men, but of system. The immense influence of Government must cease: by that influence the right honourable Gentleman had created about one half of the present House of Peers. That exercise of the prerogative which the Constitution had vested in the executive branch of the Government, ought not to be used for the purpose of undue influence. It degraded the dignity of the Legislature, when men were raised to the Peerage, not as the reward of merit, but of services to Administration. The system which Ministers had followed in Ireland, had reduced that country to a state of the greatest disorder. Nothing short of the complete emancipation of the Catholics, and a thorough reform in the representation of the People, could now prevent Ireland from being separated from this country. Indeed, in the present situation of affairs, it would be more for the interest of
Great

Great Britain that Ireland should be declared perfectly independent, than that, by the impolitic and oppressive measures of Ministers, the people should be driven to extremes which might prove far more injurious to this country. It was not the present Ministers, he believed, who could make peace for this country; and as the situation of the nation depended upon that blessing being speedily procured, he felt it his duty to support the present motion.

Mr. Hawkins Browne explained.

Mr. Bootle said he considered the Traiterous Correspondence Bill to have been of great advantage to the country. It enabled the Government to send a great number of foreigners abroad, whom it would be very improper to permit to remain here in such times as the present. The Bills too, which had been so loudly complained of, had in fact been the means of preserving the Constitution. By these wise measures which Ministers had adopted, they had succeeded in confining seditious language within the walls of that House. As a proof that these Bills were not thought oppressive to the people, he might notice the reluctance of the honourable Gentleman over against him, in bringing forward the motion he had so long promised. He had adjourned the motion for their repeal from week to week; and though he had fixed it for next week, the House had no reason to believe it would come on then. When a change of Administration was suggested, it was proper to consider in what situation the country would be placed, if the honourable Gentleman and his Friends were to get into office. These Gentlemen had pledged themselves to bring forward a Parliamentary Reform; but they would find it very difficult to do this without throwing the country into confusion. There were two or three parties all desiring reform, but whose principles and views were very different. Would those who claimed universal suffrages be content to stop at the point which the lovers of moderate reform thought proper. While those Gentlemen received the support of the most violent party, it was evident that party expected that any Reform which might be proposed should include their plan. He wished to know if Gentlemen were prepared to go so far?

Mr. Brandling entered into a review of the conduct of his Majesty's Ministers during the war, and contended, that every possible measure which could be justified by human prudence had been adopted to promote the success of it. The navy of France had been reduced in an unexampled degree, and the commerce of that country had been completely destroyed by the well directed efforts of Great Britain, and the happy ex-

ertions

ertious of the nation were unrivalled in any former period of history. The war was, in his opinion, a contest between religion and impiety, between humanity and cruelty, between barbarity and civilization. It was a war in which the dearest interests of mankind were implicated, and in which the whole world was called upon to vindicate her rights against the usurpations of France. Nothing, therefore, could be so destructive as a change of administration at the present momentous crisis, when every real friend to social order should unite with vigour and perseverance, to obtain an honourable peace. He should therefore give his decided negative to the motion.

Mr. Alderman *Lushington* said, that as he perfectly agreed with the honourable Gentleman (Mr. Curwen) in thinking that it was not necessary to go beyond the present war to investigate the conduct of his Majesty's Ministers, he should therefore take up the question on that ground. He had for his own part viewed the commencement of hostilities in a very different point of view from several Gentlemen on his side of the House, who had merely argued in favour of a partial justification of the cause of hostilities. He felt that he was warranted in considering the act of aggression on the part of the French Republic against the Dutch, who were the allies of Great Britain, as a sufficient ground for war; but he would not confine himself to a minor cause, when others of a much superior, and a more cogent nature pressed themselves upon the conviction of the House. The defence of the war did not rest on the simple act of aggression, but had a more ample and permanent basis. It was undertaken for the purpose of maintaining that grand principle which preserved the happiness of the civilized world, and which prevented the encroachments of barbarity. Had France been contented to have confined to her own territories those diabolical principles, which it was her determined purpose and glory to disseminate and establish in every part of Europe, Great Britain would not have been compelled to interfere in a contest which did not require her immediate exertions. But France went further, and threatened every neighbouring state with the destructive effects of those political tenets which her revolutionary doctrines inspired. It therefore became necessary to oppose a strong and firm barrier to the dangerous principles openly avowed by the French Republic, and which teemed with the subversion of good order, morality, and religion, in every civilized nation, that did not wish to fraternize with the enemies of society and well regulated Government. The war having consequently for its end and object so very essential

tial and so highly salutary, had in a great measure accomplished that object, as those pernicious principles had been conquered by their own diabolical effect. He was ready to avow his coincidence in sentiment with the honourable Gentleman (Mr. Curwen) on the subject of the treason and sedition bills. They both agreed in theory respecting these bills, but they differed in point of practice. They were in his opinion contrary to the spirit of the constitution, and such were his sentiments when they became the topic of parliamentary discussion; yet he thought it was wise on that occasion, wise and prudent for the House to forego a particular part of the constitution to preserve the whole, and thus, by giving up one of the rights of the people, to maintain all the others inviolate and entire. The worthy Alderman who came forward with the motion had stated, that he acted in compliance with the orders of his constituents. The constituents of the worthy Alderman were also his; and whenever he received instructions from a great body of them, fairly assembled, he was always disposed to shew them the utmost respect and deference. But the meeting where the resolutions were entered into, and which the worthy Alderman conceived himself bound to obey, was not composed of one-fifth of all the constituent body of the city of London. The pressure of difficulties arising out of the war was admitted on all hands to be very great, but it could not be too strongly impressed on the minds of Gentlemen, that those difficulties had not arisen from want of due exertion on the part of his Majesty's Ministers in the prosecution of it. The most probable means of ensuring success had been uniformly employed, and in no instance whatever in former wars had the sailors and soldiers of Great Britain manifested their valour and perseverance with more glorious activity, or with more successful effect. The disappointments which had taken place in the course of the contest had arisen from the line of conduct pursued by one man, who, however high in rank and power, was directly the reverse with respect to the execution of his promises and the fidelity of his engagements. He alluded to the King of Prussia, who professing to act for the common cause, had abandoned the principles on which he originally set out, and produced the most fatal mischiefs, not to this country alone, but to Europe in general. He was justified in asserting, that there was not an individual in the country, whose thoughts were more really disposed to peace than those of the right honourable Gentleman at the head of his Majesty's administration, and of those persons who were connected with

him in the conduct of public affairs. In offering this candid tribute to the merits of the right hon. Gentleman, he wished to have it understood, that he did not speak from any communication whatever on the subject, nor even from the different speeches delivered in that House since the commencement of the war, but from the measures uniformly pursued by that right hon. Gentleman, to promote and ensure to the nation the great and desirable blessings of an honourable and permanent peace. He would not waste the time of the House in taking notice of a statement which had gone abroad, that the Government and the people of France were hostile to a peace concluded under the direction of his Majesty's Ministers. For those who might entertain that opinion were indeed inconsiderable when compared to the nation at large. The exertions of France were directed against the Navy, the credit, and the constitution of England; and the enemy looked to the destruction of the British system altogether, not to gratify any animosity against particular persons. He would not deny that the desire of peace was general and anxious throughout the country. It was the natural policy and characteristic of the nation to wish anxiously for peace, but it was no less the peculiar characteristic of Britons to persevere in the vigorous prosecution of war, for the purpose of obtaining an honourable and permanent peace. The state of public credit had been brought forward as an argument against the continuance of hostilities; but public credit, it ought not to be forgotten, was inseparably connected with commerce, and commerce could not flourish without the restoration of a just and advantageous peace, which was the great end proposed by a perseverance in the prosecution of war. He should therefore vote against the motion, convinced as he was, that the sun of Britain's glory would soon set, were the nation to submit in a servile manner to terms of peace which the French Republic might imperiously dictate.

Mr. *M. A. Taylor* stated the grounds upon which he should give his support to the motion. From what he had seen of the conduct of the King's Ministers for the last four years he thought them weak and wicked. When he called them weak he did not mean to say that they were destitute of talents, but that their measures were weak and inefficient. And when he pronounced them wicked, it was not his intention to asperse their private character, but to expose the system of corruption which it had been their object to establish in the country. If, as the worthy Alderman said, the war was undertaken for the
prefer-

preservation of civilized Europe, it had been very unsuccessful, for the King of Prussia was long ago a barbarian, and the Emperor was rapidly degenerating into a state of barbarism. In short, the French were succeeding in uncivilizing all the Princes upon the Continent. The real object of the war he contended to have been the restoration of monarchy in France, and then he asked whether it had been conducted with ability, or whether the present administration were not as incapable of prosecuting the war, if it was necessary, as of concluding a peace on terms honourable to the country? They found themselves in a situation of calamity; he asked whether they would trust to the wisdom of those who had brought them into it, to extricate them from it? It had been said that a change of Ministers would be followed by a change of the constitution. He contended that it would be followed by a restoration of the constitution, of which they had been cruelly robbed, and that if he wished for a subversion of the constitution, there was nothing which he would desire so much as that the present Ministers should continue in power. He should therefore give his strenuous support to the motion for their removal.

Mr. *Miles Peter Andrews* said, not being in the habit of public speaking, it is with great deference that I venture to trespass on the indulgence of the House—Sir, I feel it my duty to give my negative to the motion, because I think, in these tumultuous times, this House would do well to discourage every proceeding which may tend to lessen the weight of due authority, or discredit the executive powers of the country. I am clearly of opinion that at this momentous crisis which teems with objects of such great importance, not only to ourselves, but to the security and repose of all Europe; I say Sir, at this particular period I think the measures of government ought strenuously to be supported, and no obstacles should be thrown in the way of operations, to which so much official knowledge is requisite, and to which so much responsibility is attached.

There may be times, when party animosity, when personal prejudice, when all such considerations should give way; and sink before the great impressive claim, which the peculiar urgency of affairs, and the immediate interests of the country, must at such times, impel us to feel and to acknowledge—Sir, I contend that this is one of those critical, yet animating periods; this is a moment in which every Englishman should unite to aid, and to establish our national character, our honour, our credit, our firmness, our political existence.

It does not appear to me, than any sudden change of men, any convulsion in our political system, would essentially promote the tranquillity of the country, or accelerate the means of procuring peace; if it did, I would certainly accede to the motion, for I hold myself perfectly unconnected with any party whatsoever. Suppose his Majesty should in consequence of an address from this House, think proper to dismiss his present Ministers. On whom must the nation rely, for the guidance and direction of its affairs? Shall we find greater abilities, sounder integrity, or firmer minds among other gentlemen, than amongst the present administration, I think not, at least I am not at present inclined to risk the trial.

A great deal has been said at times of the lamentable state of our finances, and the deplorable situation of public credit; I may perhaps not feel myself competent to pass either encomium, or censure, on the conduct of Ministers with reference to these events; but I am free to say, that I attribute a great part of these disasters, to that ill-grounded alarm and apprehension; to that unmanly gloom and despondency, which have of late pervaded all ranks of people, and I hope I may be justified in observing, that to sink beneath the pressure of temporary calamity, is unworthy our characters as Englishmen; and it is highly incumbent upon us, at this juncture to rouse that spirit, and awaken that zeal, which ever have been, and I trust ever will continue to be our glory, and our pride.

Unanimity is the surest ground we can proceed on, to restore the peace, the happiness, and the prosperity of the country; and I will conclude with the words of our immortal bard,

—————Nought can make us rue,

If England to herself will prove but true.

Mr. *Hobhouse* went into a detail to shew that the war originated on the part of this country and not of France, and that the prohibition of the exportation of corn to France, the Alien bill, the correspondence between Lord Grenville and M. Chauvelin, and the dismissal of their Ambassador, were paramount to a declaration of war. He contended also that they had neglected every favourable opportunity of making peace, such as the application of M. le Brun for a passport, the detection of Dumourier, &c. As a test of their capacity, he asked if they had gained one object of the war? They had gone to war for the protection of Holland. Holland was now leagued with our enemy. They had commenced hostilities for the restoration of monarchy in France. They had been obliged to treat with the
very

very authors of the death of the King. Was there one of their menaces accomplished, or one of their predictions fulfilled? They threatened to march to Paris. Now they were in anxiety for the safety of this kingdom. They announced the finances of France to be completely ruined. How, he asked, are our own?

Mutato nomine de te fabula narratur.

He then took a view of their domestic system. They had extended the Excise laws they had erected all over the kingdom. They had imposed restrictions upon the liberty of the press. They had tongue-tied the people. They had disorganized the navy. They were hazarding the dismemberment of the empire. In these circumstances he called upon the representatives of the people to address his Majesty to remove the authors of such a destructive, oppressive, and ruinous system. If you wish, said he, for a secure, permanent, and honourable peace, address the King to dismiss his Ministers. If you wish to repair the shattered finances of the country, and to prop the tottering edifice of public credit, address the King to dismiss his Ministers. Would you prevent the dismemberment of the empire, address the King to dismiss his Ministers. Would you restore the pristine purity and splendor of the constitution, I repeat the expression, and with it I conclude, address the King to dismiss his Ministers.

Sir *Gilbert Heathcote* earnestly wished that all party considerations might be set aside, when the interests of Britain were at stake. The object of the present moment, which he conjured that House and the country to regard, was to unite, and rally round the constitution, to support the King, and the acknowledged rights of the English people. Ministers might be called to an account afterwards, if their conduct was found culpable. But, at present, he thought it would be of dangerous tendency to adopt the motion. He declared that no man wished for peace more than he did; but then, it was a solid and an honourable peace; but he did not think the motion for the removal of the King's Ministers the readiest way to obtain it.

Mr. *Dent* thought, that before the House could adopt the present motion, it would be necessary to know who those gentlemen are to whom it was wished that the administration of public affairs should be committed? He lamented, that in the course of the debate assertions had been converted into accusations, particularly when Ministers were charged with occasioning the discontents and disorderly conduct of the seamen, and the disturbances in Ireland. He wished such circumstances had never been mentioned; they were irrelevant to the present motion

motion, and ill timed, particularly after the grievances of the seamen had been redressed, and order restored in the fleet. He imputed no small share of the misfortunes of the country and the shock which public credit had sustained, to the unguarded speeches within those walls. He did not believe that the country at large was so desponding as had been supposed; he rather thought the people were agreed to meet their present difficulties, and even encounter greater, and, if possible, to remove them, as far as individual assistance could be given. Why, he would ask, should national difficulties be magnified in that House, for no other apparent reason than to encrease this despondency?—Those which particular commercial towns sustained in consequence of the war, had, in his opinion, been exaggerated. Referring to the state of the Bank, he declared, that even if it should not open in its usual method, after the proposed period of the 24th of June next, the inconvenience to the public would not be equal to what had been already experienced. He did not doubt but that in a few years after the restoration of peace, the sums lodged in the hands of the Commissioners for liquidating the national debt would alleviate, and eventually remove present difficulties. He declared, that there was nothing the country had more to be afraid of, than the effect of the inflammatory speeches delivered in that House.

Mr. N. *Jeffreys* said, that, in voting for the motion, he adopted the sense of his constituents. He would answer one question by asking another. It had been demanded, if the present Ministers were dismissed, where were others to be found to fill up their places? To this he thought it a sufficient reply to ask, if the present Ministers are dismissed, where would it be possible to find worse?

Mr. *Ellison* declared, that he would speak his sentiments as an independent man, and a member for a respectable county (Lincoln). He would always listen to the advice of his constituents with deference, but at the same time claim the privilege of acting from his own opinion, and would not submit to any undue influence. He spurned at the insinuation that those who voted for Ministers did it because of the places they had to give. For his part, he felt himself independent; he neither wanted place or pension. He loved liberty and the constitution; and would vote accordingly. He would not ask Ministers to preserve these blessings, for it was the duty of that House to preserve them. He had thought the war necessary in its origin, and now he believed that nothing would tend sooner to restore peace than unanimity in that House. Could this be obtained, he believed little more time would be wanting to enjoy

joy this blessing, than what would be required for a messenger to go from London to Paris. He could not think this was the proper season for agitating questions of reform, and bringing forward charges against Ministers; it would be like his attempting to reform his family when his house was beset with thieves and robbers. He believed that unanimity at home, and a decided bold front shewn by this country, would be the best mode of obtaining peace with the enemy.

Mr. *Sturt* said, if there was ever was a necessity for a change of Ministers it was when the conduct of the right hon. Gentleman was considered; when he came into power, when his professions of attachment to the cause of liberty and reform were recollected and compared with the system which in office he had pursued, there would be found good reason for the motion. It was said, point out other Ministers. That, however, it was for his Majesty to decide; worse than the present certainly could not be found. When the House considered the origin of the war, the mode in which it had been conducted, the sneaking deceitful attempts at negotiation, intended to delude the people with the hopes of peace, in order to pick their pockets, they would find the most powerful arguments for the removal of Ministers. The ill-fated Quiberon expedition, planned by the Secretary at War, the cruel and destructive attempts upon St. Domingo, and indeed every part of their conduct, were arguments for their removal. The disturbances in the fleet too, he would undertake to prove, were owing to the misconduct of Ministers; and if no other person did, he would, on a future occasion, bring forward a motion for enquiry into their conduct. Even still the mutiny was not entirely settled, and this he was ready to prove. Every thing had been unsuccessful. The House was a laughing-stock to Europe, and their proceedings despised. The right honourable Gentleman might smile, but a time might come when he would look more serious. If the present Ministers were allowed to go on, he believed the people themselves would turn them out.

Mr. *Pierrepoint* said, that he should vote against the present motion. His Majesty's Ministers did not appear to him to be criminal, although they were unfortunate. His duty and inclination induced him to give that vote which appeared to him to be most consistent with the interests of his country.

Mr. *Burdon* could not think that august Assembly would be induced to place the country in so degrading a situation as to pass their vote in order to please the enemy. He deprecated the tendency of this and of other motions which had been lately made, or of which notice had been given, to divide the senti-

ments

ments of that House and the nation, at a time when a spirit of unanimity was so much wanted to be infused into the House, and the people of the country at large. He feared that to pass a vote for the dismissal of the present Ministers, was not a way to obtain a peace with the enemy desirable in its nature, at the same time that it would risk the very existence of internal peace and tranquillity.

The question was now loudly called for, when there appeared,

<i>Ayes</i> (For the Question)	—	59
<i>Noes</i> (Against it)	—	242
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<i>Majority,</i>		183

Adjourned at ten o'clock till the next day.

HOUSE OF COMMONS.

MONDAY, MAY 22.

The *Secretary at War* brought up an estimate of an increased pay and allowance to the Non-commissioned Officers and Privates of his Majesty's Land Forces, which was referred for consideration till Wednesday next.

The report of the Committee on the bill for guaranteeing the dividends on the Imperial Loan of 1,600,000*l.* was brought up and agreed to.

The Committee on the Stamp Duty bill was postponed till Thursday.

Leave being given, a bill was brought in, and read a first time, for enabling his Majesty to draw out and embody the Tower Hamlet Militia.

Mr. *Wilberforce* moved for leave to bring in a bill to enable the Roman Catholics to serve as Officers in the Provisional Cavalry and Supplementary Militia. Leave was granted.

Mr. *Gresham* wished to know when the Chancellor of the Exchequer meant to propose any measure for granting relief to the Scotch Lowland Distillers.

The *Chancellor of the Exchequer* replied, that he could not fix a day, as there was no one open this week, but that he should take an early opportunity of submitting to the House a proposition on that subject.

The Waste Land Inclosure bill (by agreement) passed through a Committee of the whole House the report was received, and the bill ordered to be recommitted next day.

HOUSE

HOUSE OF LORDS.

TUESDAY, MAY 23.

SCOTS PEERAGE OF GLENCAIRN.

The House in a Committee of Privileges, Lord *Walsingham* in the chair.

Heard Mr. *Grant* at considerable length, as Counsel on behalf of Sir *Adam Ferguson*, Baronet's claim to the title and dignity of Earl of *Glencairn* and Lord *Kilmaurs*.

After the Counsel had finished, a variety of papers, documents, &c. were given in as evidence on the part of the claimant; among these was a Patent, with the Great Seals attached, which the person who delivered it said he received from Mr. *Stuart* in Scotland, who told him he took it from the papers of the late Earl of *Glencairn*, which were in his possession. This was objected to by the Counsel for the Crown (Messrs. *Anstruther* and *William Dundas*), as inadmissible evidence of its authenticity.

The Counsel for the claimant urged the circumstance of a Patent under the Great Seal proving itself.

One of the Lords of the Committee (the *Chancellor*) observed, that such was admitted where the parties and the Crown agreed to it.

After some farther conversation, the further hearing of the case was adjourned to Thursday se'nnight; at which period the Counsel for the claimant said, that the consent of the Crown should be obtained, or that regular and unobjectionable evidence should be adduced respecting the point in question.

The House then resumed, and after prayers were read, the various bills upon the table were forwarded in their respective stages.

The *Emperor's* Loan Guarantee bill was presented by Mr. *Hobart* from the House of Commons, and the Merchants Seamen's bill by Colonel *Gascoyne*, which were read a first time.

A great number of private bills were also presented, after which the House adjourned till the next day.

HOUSE OF COMMONS.

TUESDAY, MAY 23.

Mr. *Sheridan* moved to refer the petition of John Palmer, Esq. to a Committee to enquire into the agreement made by
 VOL. III. 1797. 2 E him

him with the Treasury on his plan for the improvement of the post-office mails. To which motion the Chancellor of the Exchequer, after a few words of observation, agreed, and the Committee was appointed.

Mr. *Sheridan* gave notice, that he should the next day call the attention of the House to the important subject of the disturbances in the navy, upon which misrepresentations had gone abroad highly injurious to that House and the country. A paper, in the shape of a Manifesto, which he believed to be a scandalous forgery, he should not take the trouble to expose on account of the personalities to himself; but as he understood that a very iniquitous use was made of it, in exciting discontents among our seamen at Plymouth and elsewhere, he thought it of consequence to prove its falsehood, and he perhaps should have occasion to conclude his observations with a motion on the subject.

MOTION FOR THE REPEAL OF THE TWO ACTS TO PREVENT TREASONS AND SEDITIOUS MEETINGS.

Mr. *Fox* said, I shall not have occasion, Sir, to detain the House for any considerable length of time in stating the reasons that induced me to call the attention of the House to the two memorable acts of the last Parliament, a motion for the repeal of which I intimated before the holidays; nor will it be necessary for me to say much in answer to the misrepresentations that have been made on account of my having delayed the motion so long. The circumstances that have recently occurred, particularly the measure of the stoppage of payment at the Bank, so totally engrossed the public attention, and engaged the time of the House, that I did not think it right to bring forward this discussion, and instead of deferring it by adjournments from week to week, I directly and openly announced it for the present period. I have never been one moment doubtful as to the propriety of the two obnoxious bills, which, at the time they were passed, I conceived to be most portentous to the country. Every reflection that I have made upon the subject, and all the experience that we have had since they were passed, have served to corroborate my own feeling, and I now rise to move for the direct repeal of those two laws. With respect to one of the two, that which came to us from the House of Lords, under the title of "a Bill for the better Preservation of his Majesty's Person and Government against Treasonable Practices," I shall make but one or two observations, though every part
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of it continues to excite my heartfelt abhorrence. The first great objection to that act is, that it extends unnecessarily the statutes of treasons, and carries them to a length by no means consistent with sound policy as to their avowed object of the King's safety, nor consistent with the tranquillity and constitution of the realm. The memorable statute of Edward III. was found to be sufficient to prevent the crime of treason, and experience has taught us, that all the strained and forced constructions that have been put on that statute, have served rather to lower than heighten its force. Its operation has proved that the life of the King is sufficiently guarded, and every extension of it beyond that great and national object, has only served to take away the reverence which its simplicity excited in the hearts of a loyal and a liberal people. That simplicity impressed upon the mind a sanction which it was impossible to derive from intricate and nice constructions. The people saw, in its noble and generous frame, security for themselves; by the reverence in which it held the sacred person of the King, they saw that for the security of his person even the imagination of his death was provided against, and the law was so clearly defined, so short and simple, that no danger to the well-meaning could be created by its operation. This is not the first instance in which attempts have been made to make levying war a substantive act of attempting the King's death; but all the instances upon record, in which the extension of the treason laws to forced and doubtful constructions, has utterly failed of producing the effect which such laws ought ever to have on the minds of the people. In the reign of Queen Elizabeth laws were enacted for the preservation of her person and Government, for which the turbulence of the times was the apology, but which no person could contemplate without indignation and regret. In the period of King Charles the Second similar suspicions were entertained of numbers of persons being disaffected to the Government, and some severe and scandalous laws were enacted for the preservation of the King's person. What is the impression that these laws have made upon every person who has attentively considered the history of the times? That they were enacted upon a consciousness that the conduct of the Government was such as to provoke disaffection in the minds of the people, and this must always be the effect of rigorous and severe laws. It was made highly penal to say that Charles II. was a Papist. Why? Because in truth he was so. No law

would, in the present day, be thought necessary for the preservation of the character of his Majesty King George III. against the charge of his being a Roman Catholic, because any such charge would be too contemptible for notice. His Majesty's well-known character is his best protection against such an imputation, and the very enacting such a law would betray a consciousness that there was ground for the imputation. The laws of Charles II. were made in this spirit, they were received by the people, and have been received by posterity in this spirit, and such laws can never have any other effect than to excite similar suspicions, and to weaken the government which they professed to support. The only other part of this Bill to which I shall allude, and which, in my mind, is very serious, is the provision with respect to political libels; it enacts that, upon a second conviction, Judges may be enabled to inflict punishments of a kind so barbarous and inhuman as to shock the heart of man. When you look back to the judgments that have been passed in former periods of our history, when you reflect on the prejudices to which our frail nature is necessarily subject, when you think on the possibility that Judges may be as servile, as corrupt, or as cruel in future times as they have been in past, you will perhaps be able to form a just estimate of the character of a law that enables them to inflict a punishment of so dreadful a kind for an offence so indefinite and doubtful as a political libel! You will think with me, that the punishment of fine and imprisonment is fully sufficient to the crime, if crime it be, to publish the most extravagant political opinion as to the form of governing a community. If this Bill had passed a century ago, how many men, whose grand and estimable characters have made them dear to mankind, might have been banished to Botany Bay, and condemned by a barbarous sentence of an inhuman judge to the society of a set of beings whom vice had degraded, and crimes of every nature had expelled from all rational intercourse with man? Would not the writings of Locke, writings that have enlightened and benefitted the country, have probably condemned him to this horrible exile? But, without going back to a period so distant, or addressing to the humanity of your reflexion instances so remote, can we deny that, in a period much nearer our own times, the violence of factious spirit might have hurried even judges of our own day to the infliction of this detestable punishment if this law had then had existence? In the beginning of the present reign complaints were made of the atrocious character of the public libels then published, and in the heat and fury of party zeal, prosecutions were carried

carried on with a bitterness of animosity, upon which no person of moderation can reflect without shame and regret. Personal considerations, mixed with the motives of public decorum, and though I hope they did not influence either the prosecutors or the judges, yet, I submit to the House, whether the temper of the times were not such, as to make it highly probable that Mr. Alderman Wilkes, upon his second conviction, might have been doomed to this horrid fate. I am not sure that our nature is likely to be so purified by public situation of trust and power, as to be superior to all base and malignant passions, and I am not sure, but that in the spirit of these times, Mr. Wilkes might have been the victim of a persecuting rage. I have not the honour of this gentleman's acquaintance, nor have I, in the course of our political lives, frequently agreed with him in opinion; but now that the intemperance and fury of the time is past, I submit to the House what must be the feeling of every liberal heart on the idea of condemning a person of such high literary attainments, so dear to the society in which he lives, so exemplary as a magistrate, and who has shewn himself to be so zealous a defender of the prerogatives of the crown, to a punishment so degrading and so abhorrent; and yet, if the law had existed, would it not have been executed? If it had existed but a few years ago, would it not have been executed in many other instances, if juries could have been found to second the wishes of our Government? Of the willingness of this Government to go to the full extent of this inhuman law, Scotland has given us a mortifying and indubitable proof; Scotland is said to have had this barbarous law, though it had never been acted upon. It was asserted that at least there did exist a law of so barbarous a tendency, as to enable the Judges to send a man forth out of all civilized society, and condemn him to live, at the extremity of the earth, with the most degraded beings of his species. It was said, that such a law did tarnish and disgrace the criminal code of that part of the kingdom. I am convinced, not merely on the authority of the most learned persons of that country, as well as upon the fullest information that I have been able to acquire for myself, that no such law did exist in Scotland, and that persons who acted upon it will one day be brought to a severe retribution for their conduct. But the apprehension of the existence of such a law has displayed to us the character of our Government, and proved that we have a Ministry capable of condemning their fellow-creatures to this monstrous punishment, for the mere exposition of tenets on Government different from their own. They made it their boast, that by
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means of this law they have gained the triumph of political opinion, and the sacrifice of a number of human beings, of enlightened minds, and of moral character, for the mere offence of carrying doctrines to excess; for I admit that in some instances they carried their doctrines to excess, was a subject of inhuman boast. The publication of political opinion. That was the crime. What was the punishment? Death, of the most aggravated, of the most procrastinated, of the most cruel nature. They were sent, not into banishment merely, but sunk and degraded to an association with villainy, and ignorance, and crime; sent to a country where, possibly, their health might be affected by the climate, but that was little in consideration of the fatality of their own feelings. I speak of one in particular, of Mr. Gerald, whose elegant and useful attainments made him dear to the circles of literature and taste; bred to enjoyments of which his accomplishments fitted him to participate, and endowed with talents that rendered him valuable to his country, he, among others, was the object of this persecuting spirit; the punishment to such a man was certain death, and accordingly he sunk under the sentence, the victim of virtuous, wounded sensibility. There may be times of alarm when men, under the influence of terror, become insensible to the dictates of justice and humanity. It has been truly said, that no passion is so calculated to harden the heart, and to make it atrocious and sanguinary, as great fear, and accordingly we find that the most inhuman tyranny has always had its foundation in the hearts of those whose actions condemned them to incessant terror. In a moment of alarm, real or artificial, it is not to be wondered that nations, as well as individuals, should be lost to the dictates of reason and humanity. Ministers succeeded in spreading an alarm over this country, under the influence and panic of which they made Englishmen forget and forego their natural feelings of justice and humanity; but now that this time is happily past, I trust that we shall also recover our genuine feelings, and that we shall not suffer an act to exist upon the statute-book, so disgraceful to our criminal code, and by which, in some future moment of passion, new acts of horror, under the name of judicial punishments may be perpetrated! These are the two principal features of that Act, to which I now content myself with drawing your attention. With respect to the other Act, for the prevention of Seditious Meetings and Assemblies, without enquiring whether the rights taken away by that Act were proper subjects of legislation, I may at least doubt of the propriety of their being made so. The statute clearly affects rights which,

which, in their very nature and essence, must have been antecedent to the power of legislation, and it is not merely a question of morality, but of the highest political prudence, whether rights that are principles, rights which make the foundation of the legislature itself, and without which no legislation can be legitimate, ought to be made the provisions of a statute. It is a manifest axiom in a popular Government, that man had the fundamental right to state his opinion, this right must be recognized since it was on the exercise of this right that the Government itself was formed; need I illustrate the doctrine? It is recognized in the Bill of Rights! No man will deny that the Right of Petition to the Parliament, is as inherent to the People of England, as the Right of Petition to the Crown. Why then did not the Bill of Rights state the one as well as the other? Why? but because the one had been attacked and questioned, not the other; and it has been truly said of the Bill of Rights, that it only asserted the privileges which had been outraged, it did not enumerate all the rights which had not come into dispute. But it is said, that this is not the first instance in which difficulties have been thrown in the way of petition, and reference is made to the act of Charles the Second, in which distinction is made between assemblies convoked by the Sheriff and of persons entitled to the elective franchise, and other persons. No argument, in my mind, can be so dangerous as that which raises distinctions as to the right of petition. To say that those only enjoy the right of petition who possess the elective franchise, is to bring it into danger; good sense would make the argument go the other way, for surely if any description of persons more than another ought to enjoy the right of petition, it is those persons who having no vote at elections have no representatives in this House to whom they can directly apply, and who may be made the organ of their sentiments. But I deprecate and deplore these distinctions, since every class of the community ought to have this right secured to them, and be made as free as the air they breathe. This act is outrageous, because it throws difficulties in the way of the exercise of the right, and enables Sheriffs to prevent meetings; and it has been proved that since the passing of this act more refusals have been given by magistrates than in any former period. This has been particularly proved since recent calamities have disposed the country to assemble so generally to petition for the dismissal of Ministers. Very extraordinary reasons have been assigned by some of them for refusing to convoke meetings. The Sheriff of Suffolk refused because the subject had been debated in Parliament,

ment, and because he was going to London. Another magistrate refused, though called upon by a numerous body of persons, because he would not disturb the unanimity of the county. The power of dispersing meetings was as obnoxious as the refusal to convoke them. In the county in which I live, the Sheriff, after putting the question, said, there was a visible majority of votes, but because he did not know whether they were all freeholders that were present, he refused to sign the proceedings, and give validity to the record. Another person on this capricious objection could not take the chair, because the Sheriff had the power to disperse the meeting, and thus an attempt was made to defeat the petition in the county of Surry, even under the colour of complying with the statute. In many other cases difficulties had been found that make it vexatious, and almost impossible, to exercise this right under the provisions of this act. It requires so much trouble to comply with all the provisions of the act, where the meeting is not called by the regular magistrate, that it is next to an impossibility to carry the exercise of the right generally into effect. In some instances, where zeal and perseverance had conquered every obstacle, inconveniencies were suffered that would deter men on ordinary occasions from assembling. In Westminster, for instance, where the meeting was called in strict conformity to the act, the day of meeting was most unfavourable in point of weather, but it was found inconvenient to adjourn, because they must have renewed all the formalities required by the statute: and what is the benefit expected to be derived from all this, has the effect justified Ministers in the measure? Are provisions like those likely either to alter the minds of men, or are they calculated to prevent communication and stifle the opinions and discontents of a people? If it were a new and an abstract question, there might perhaps be a difference of opinion upon the subject, but unfortunately a book is laid open to us in which we may read in most legible characters the true character and consequences of such a measure, that book is the kingdom of Ireland. In the year 1794 a Convention bill was passed in Ireland to prevent meetings of the people; what was the consequence? Ministers boasted of the success of the measure; they flattered themselves they had succeeded in preventing meetings; but I have now the authority of the Parliament of Ireland for saying that which they had prevented publicly had been done in private, and that ever since the year 1791 meetings of the people had been held, which, up to the year 1795 were small and insignificant, small, because up to that time they still had the power of meeting in public and discussing

sing their grievances openly and without reserve. Up to the year 1794 then they were small and harmless, but then comes the Convention bill that forces them into clandestine and secret meetings by mid-night; then comes correspondence with the foreign enemy, and all the terrifying and alarming plots which the report of the House of Lords of Ireland has ascribed to the people of that distracted country. What deplorable ignorance of the human heart to think that, by a mere Convention bill to prevent meetings without redressing grievances, they could make men forget by making them silent! What criminal ignorance to conceive that, by damming up a torrent, it would not force its way in another direction! But it seems that, as our act has not yet produced the same effects in England, we must not go for instruction to the sister kingdom; I see no sense in any such argument; human nature is the same in all countries; if you prevent a man who feels himself aggrieved from declaring his sentiments, you force him to other expedients for redress. Do you think that you gain a proselyte where you silence a declaimer? No, you have only prevented the declaration of grievances in a constitutional way, to force men to more pernicious modes of coming at relief. You have only prevented public meetings, where erroneous doctrines might have been instantaneously refuted, in order to encourage conspiracies at which you may not have it in your power to repel the criminal interference of foreign incendiaries. In proportion as opinions are open and divulged, they are innocent and harmless. Opinions become dangerous to a State only when persecution makes it necessary for men to communicate under the bond of secrecy. I recal you to Ireland; do you believe it possible that the calamity which now rages in that unfortunate country would have come to its present height, if it had been free for the people to meet and divulge their grievances? Where meetings are public, disaffection cannot be avoided. Publicity makes it impossible for artifice to succeed, and designs of a hostile nature lose their danger by the certainty and speed of exposure. But it is that these bills will expire in a few years; they will expire when we shall have the period of peace and tranquillity; what a sentiment to inculcate! You tell the people that when every thing goes well, when they are happy and comfortable, then they may meet freely, to recognize their happiness and make eulogiums on their government, but that in a moment of war and calamity, of distrust and misconduct, then it is not permitted them to meet together, because then instead of panegyric they might condemn their Ministers.—What a mockery is this! What an insult to say this

is preserving to the people the right of petition! To tell them they shall have a right to applaud! A right to rejoice! A right to meet when they are happy, but not a right to condemn! Not a right to deplore their misfortunes! Not a right to suggest a remedy! I hate these insidious modes of undermining and libelling the constitution of the country; if you mean to say that the mixed and balanced Government of England is good only for holidays and sunshine, but that it is inapplicable to a day of distress and difficulty, say so. If you mean that freedom is not as advantageous to order and strength as it is to happiness, say so; and I will enter the lists with you upon that point, and contend that among all the other advantages that liberty confers on a country, are the advantages of order and strength in a supereminent degree, and that too in the moment when they are most wanted. Liberty is order, liberty is strength; good God! Sir, am I on this day to be called upon to illustrate the glorious and soothing doctrine! Look round the world and admire, as you must, the instructive spectacle! you will see that liberty not only is power and order, but that it is power and order predominant and invincible; and it derides all other sources of strength; that the art of man has no impulse, and can have none, that dares to stand in competition with it; and if as Englishmen we know how to respect its value, surely the present is the moment of all others when we ought to secure its invigorating alliance. Whether we look at our relative situation, with regard to foreign powers, with regard to the situation of the sister kingdom, and with regard to our own internal affairs, there never was a moment when national strength was so much demanded, and when it was so incumbent upon us to call forth and embody all the vigour of the nation, by rousing, animating, and embodying all the love of liberty that used to characterize the country, and that I trust is not yet totally extinct. Is this a moment to diminish our strength, by indisposing all that part of the nation whose hearts glow with ardour for their original rights, but who feel with indignation that they are trampled upon and overthrown? is not this a moment, when in addition to every other emotion, freedom should be aroused as an ally, a supplementary force, and a substitute for all the other weak and inefficient levies that have been suggested in its stead? Have we not been nearly reduced to a situation, when it was too perilous perhaps to take the right course; may we not be again called upon for exertions that will demand the union of every hand and every heart in the kingdom? What might not this House do if
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this House had the opinion of the country with it? Do not let us say then that we are to increase the force of the country by stifling opinion; it is only by promoting it, by giving facility to its expression, by meeting it with open hearts, by incorporating ourselves with the sense of the nation, that we can again revive that firm and compact power of British strength, that sprung out of British liberty. I will not trouble you with more on the subject. In proportion as you throw difficulties in the way of petition, you deprive yourselves of strength, you alienate every heart whose voice you stifle, you drive men to correspondence with foreign nations when you debar them from corresponding with you, and this, if we may believe the report of the Irish Parliament, was the case with Ireland, when she petitioned, addressed, and remonstrated, she had no power, but from small beginnings, that is small, until a Convention bill had passed, until a Powder bill had passed, and all the other act of insanity and rigour, she rose from small meetings of mere petition to concerted, armed, embodied union of one hundred thousand persons. Good God! shall we not, speaking the same language, possessing the same character, struggling for the same Constitution, take warning from the example that is set, and conciliate the people of England? Or shall we, with our eyes open, run upon our destiny, as antient fables tell of men devoted running into the jaws of perdition to which they were doomed? Sir, the present times hold out examples too legible for mistake; if demonstration shall fail to work upon us we are undone; and if any truth has been more strikingly illustrated than another, it is this, that you shall not touch the liberty of the lower classes of the people without making the higher orders pay a severe retribution. You shall not take away one privilege, you shall not diminish one right, without suffering ten fold, fifty, an hundred fold yourselves. You shall not commit changes upon the people without changing your own power into weakness, your œconomy into profusion. These are the doctrines applicable to these times; as men become enlightened they advance, and not retrograde, in liberty; and in proportion to their advances you must concede to them. It has been said, as an argument against the emancipation of the slaves, that the negroes are not sufficiently enlightened for freedom. The French Mulattoes, it is owned, are more capable of enjoying it, and passing from them to the most enslaved nations in Europe, we see that the approach of light makes it necessary for the Governor to acknowledge at length that they are human; but shall the preposterous imagination be fostered, that Englishmen, bred in liberty, the first

of human kind who asserted the glorious distinction of forming for themselves their social compact, can be condemned to silence upon their rights? Is it to be conceived that men who have enjoyed for such a length of days the light and happiness of freedom, can be restrained and shut up again in the gloom of ignorance and degradation? As well, Sir, might you try, by a miserable dam, to shut up the flowing of a rapid river; the rolling and impetuous tide would burst through every impediment that man might throw in its way, and the only consequence of the impotent attempt would be, that having collected new strength by its temporary suspension, enforcing itself through new channels, it would spread devastation and ruin on every side. The progress of liberty is like the progress of the stream, it may be kept within its banks; it is sure to fertilize the country through which it runs; but no power can arrest it in its passage; and short-sighted, as well as wicked, must be the heart of the projector that would strive to divert its course. I desire the title of the act may be read—"An act for the better preventing Seditious Meetings and Assemblies." I move for leave to bring in a bill to repeal this act.

Mr. Serjeant *Adair* said, that before the House acceded to the motion of his right honourable Friend, the general nature of the measures which it was proposed to repeal, and the objections which had been urged against them, ought to be temperately discussed, and he now rose to explain the reasons upon which he was induced to resist any motion for the repeal of acts which a great majority of the last Parliament had been convinced were absolutely necessary for the preservation of tranquillity, and for the safety of the Constitution; a necessity which had not sufficiently subsided as to justify a repeal. His right honourable Friend had admitted that measures of the nature of those he alluded to were not unexampled in the history of this country, and the profound legal and constitutional knowledge of his right honourable Friend easily supplied him with the precedents. He was surprised, however, to hear it said that the precedents were infinitely stronger which had occurred in the reign of Queen Elizabeth; a reign, doubtless, of distinguished felicity and glory, had been justified by the well-grounded alarms arising from the situation in which the country was placed. In reply to this observation, he was confident that little argument was necessary, as he was sure the feelings of the House must go along with him, and anticipate the answer. The situation of this country was infinitely more alarming in every respect than it was at the period alluded to. The state of the continent, and more the state of
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mens minds, and the principles which had gone abroad since the Revolution of France, held up an awful warning to mankind, and impressed upon them the necessity of stopping all attempts to shake the foundation of established Governments, of supporting them upon the principles of liberty and defending them by guards consistent with its preservation. His right honourable friend said, that a statute of Charles II. had made it criminal for any man to say that the King was a Papist, but that nobody would say so of the present King, because the falsehood of the insinuation was most universally known. This, however, did not appear to be the ground of the distinction. Among all the imputations which had been laid against Charles the Second, nothing had ever met his eye in the History of England that proved such an assertion to be true. It was not because the King was really a Papist that it was thought necessary to render it criminal to say so, but because such an insinuation was most calculated to alarm the people for their religious rights. Even now there would be found among the disaffected in this country men who would be ready to say that the King was a Papist, if they expected to produce that alarm and that jealousy which it is their wish to excite. With regard to some parts of the bills, his honourable Friend laboured under a mistake. The additional penalty did not apply to the general subject of libel, but stated and defined the particular acts for which it was to be inflicted. It was against that particular kind of sedition which, if followed by an overt act, would have amounted to treason that the law applied. Had it gone the length stated by his honourable Friend, he should have reprobated it with the same warmth; but he would ask any Gentleman to read the bills, to consider the nature of the offence, and say if the punishment provided was too severe. The discussion with regard to the sentences which had been pronounced in Scotland was admitted to be foreign to the present discussion; but he could not help adverting to some observations which his right honourable Friend had made upon this subject. It was, that the persons convicted in that country had been sent to Botany Bay for crimes arising out of an excess of love for the principles of the Constitution. Had not Skirving, one of these persons, been Secretary to the British Convention? Was it excess of love for the principles of the British Constitution that had led these men to adopt the language, and the forms of that French Convention that had murdered their King, which had trampled upon the rights of the people, abolished the Christian religion, and had set at defiance every principle of humanity
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and of justice? Was it love for the Constitution that induced them to adopt a resolution to resist an act of the legislature which composed that Constitution? God forbid, however, that such should be the conduct which the love of the British Constitution is calculated to inspire. It was said too that the Sheriff of Surry refused to decide on which side was the majority, because he did not know whether there was a majority of freeholders; and if that really was the case, he did not see that the Sheriff had done wrong. But he would ask his right honourable Friend to point out any part of that bill which prevented the persons present from putting any other person they thought proper in the chair? For his part he contended that such a step would not have been at all illegal under the operation of these bills. It was said too that men could not by the bills be prevented from communicating their thoughts. He would go farther, however, and say, that no bills could; but would any man contend that no restraint ought to be imposed, or that seditious communications would have the same effect, or that the mischief would be as immediate in the closet as in public meetings, where numbers of men were apt to be roused by inflammatory harangues, and where the acclamations, which even the most wicked sentiments obtained, were calculated to work mens minds higher, and to call forth additional vehemence? He was sorry that this country had been compared with the sister kingdom; he hoped that the parallel between them would hold but in few circumstances. But though it were chronologically true, as stated in the report of the Irish House of Lords, that no direct correspondence with the enemy had existed prior to the year 1794, and the Convention Act, was it fair to say, that the correspondence that had since taken place was the effect of that measure? The reverse of this had taken place here. The measures adopted here were different from those which the necessity of the case had been thought to require in Ireland, and the effects were more different still. Every man who had read the proceedings of that House, and had attended to the trials for High Treason, must be convinced that a correspondence with the enemy had existed, and that none had existed since the measures alluded to had been adopted. If the measures in Ireland were the cause of the correspondence, he was equally warranted to say that the measure here adopted had put an end to it. But he would ask, if these bills had repressed or encreased the discontent which prevailed in this country? The alarm which the proceedings

ceedings of certain societies had excited had been very great; and the numerous meetings which had been held at different places went to objects little short of destroying the Constitution, as it consisted of King, Lords, and Commons. The consequence of these proceedings had been an attempt upon the sacred person of his Majesty. Whether any good had been effected by the measures then adopted would appear from facts and observation. Those who before were turbulent, now, at least, were quiet. Those whom nothing could content, were prevented from propagating their mischievous doctrines. The additional discontent which the measures might have immediately excited, he believed to have been caused by the misrepresentations which had been given by those by whom they were opposed, and had they been as represented, he should not have wondered at the discontent, nor should he have wished it to be less. The discontent, however, had subsided, because men had read the bills, and found that no constitutional, no proper meeting for the discussion of any real or imaginary grievance was prohibited; that all meetings called by Sheriffs, by Mayors, or other Magistrates, were excepted. The events of the few last weeks indeed plainly proved how ill founded were those representations that described the bills as infringing the right of petitioning. That they had put an end to those daring meetings which had, previous to their being passed, been so frequent, was true, but that they had effected this desirable purpose by interfering with the proper exercise of the right of public discussion, or the right of petitioning, he should ever deny. His right honourable Friend had asked if any mischievous consequences would result from the repeal of these bills at the present moment? For his own part he thought that infinite mischief would ensue. If we looked to the progress of French arms, and the progress of French principles, and events that had lately occurred in this country, we could find cause of alarm. To say that our situation was not critical was to talk presumptuously, and the country could only be saved by the firmness of Parliament; equally superior to the influence of Ministers, and to the popular clamour. At present to repeal acts, which practically had been found to produce so much advantage, and were practically attended with no bad consequence, would be madness. He hoped when the period of their natural duration arrived, circumstances would be such as to render them no longer necessary,

necessary, and when that period arrived, Parliament must decide. He prayed God that such might be the case, and then no man would be readier than he would to lay them aside. His opinion was that it was not enough that any departure from the usual forms of constitutional freedom was harmless, it ought not to be maintained if it was not necessary. To a certain degree the bills were restraints, and therefore, whenever they ceased to be necessary, they ought not to be preserved, but that they were inconsistent with the Bill of Rights he would not admit. The prohibition was so guarded with exceptions, that no constitutional or proper meeting was forbidden, and even for those who were not freeholders, a legal mode of meeting was not prohibited, which could be called, if seven householders required a meeting, and stated the purposes for which it was intended. But it was said, that when thus assembled, they laboured under restraints. Was it an improper restraint that they were restrained from any propositions inconsistent with the fundamental laws of the kingdom, and from any proposition to obtain redress of their grievances, otherwise than by the Legislature of King, Lords, and Commons? Against illegal and dangerous discussions the bills guarded, but they did not interfere with the real liberties and privileges of the Constitution. His right honourable Friend had said liberty was the surest guard of any Government, and in this sentiment he cordially agreed. No Government could be permanent unless founded on rational liberty, but he was equally sure of the converse of the proposition, that no liberty could subsist without order, nor could it be preserved without a strong and efficient Government. Upon these grounds, therefore, he should oppose the motion.

Major *Elford* said, when the state of the country, previous to the passing of the Acts alluded to, was considered in comparison with its state since that period, it would be found that they had been productive of the greatest advantages. Attempts had been made to disturb that order and tranquillity, without which no Government could subsist. It was, therefore, full time for the Legislature to impose some wholesome and salutary restraints. Owing to the extravagant opinions which had prevailed, and the fermented state of the public mind, those Bills were thought necessary. If he heard seditious doctrines preached, and then heard that the Chief Magistrate had been insulted, and a sacrilegious attempt

attempt made upon his life, he could not help connecting these two events in his mind, and considering the one as the cause of the other. If the Legislature had sat supinely upon this extraordinary occasion, and had not passed the laws which it was now proposed to repeal, he believed before God that the House would not have been now debating. There was therefore the most evident necessity for the passing of the bills, and the state of the country since they were passed had not been, nor was not at present, such as to warrant their repeal. He would ask any man if ever he would have known that these acts had existed, but by reflecting upon the good which they have produced, and the blessings they have bestowed upon society.

Sir R. C. Glynn admitted, that the acts which it was proposed to repeal, shackled, in some degree, the liberty of the subject, and imposed some restraints on the exercise of the rights of individuals; but that was not the only light in which he viewed them. He could not avoid acknowledging the great benefits they had done to the country. The alarming meetings which had taken place in the neighbourhood of the metropolis, had given serious cause of uneasiness to every thinking person who was interested in the prosperity and happiness of the country. He was convinced, from circumstances, that the object of those meetings was not, as they pretended, to obtain a Reform; but to overturn the Constitution. Before these acts passed, Sedition and Treason were fast rising in every part of the country. The bills were always thought unobjectionable by a great majority of that House; and he denied that ever they were disapproved of by the great body of the people.

Colonel Fullarton said, that in expressing his hearty dissent from the present motion he wished to be understood, that he wished as much as any man to see liberty extended as far as was compatible with public safety. He thought there was much to improve, amend and reform in every department, and if these amendments were neglected, "*delenda*" might be inscribed upon the city of London. He said he was not acquainted with the right honourable Gentleman, but from the observation of his public conduct, he could see that the present motion was only a repetition of that political web which he had been weaving for four years past, in which he had laboured to disgrace the country abroad, and to divide it at home. He had reprobated the war when the French were already in arms against this country, and after they had threatened to rear the

standard of their Republic on the ruins of the Tower. He had censured the Alien Bill; he had ridiculed, as visionaries, all who had expressed alarm of the safety of the Constitution. In every instance his language had been the same. When it was necessary to guard against the designs of those who were proved to be hostile to the Constitution, he had resisted every measure brought forward for the defence of the Government, and had proposed to do wonders by conciliation; like the Musician, who conceived the idea of appeasing all the feuds and discords of mankind by the irresistible charms of harmony.

Mr. *Pierrepoint* said, that to the Bills we were indebted for the security we now enjoyed, if security it could be called at all. He should, therefore, strenuously oppose their repeal at the present moment.

Mr. *Esfcourt* said a few words against the motion.

Lord *Morpeth* maintained the policy and necessity of the Bills, and opposed the motion, on a conviction that the outrageous spirit of disaffection, which prevailed through the country, required to be tied down. If they were necessary at first, which Parliament had decided, he wished to know on what grounds they were now to be repealed? Were the times so much improved, that these guardians of the public peace were to be destroyed, and that we might implicitly trust to the good conduct of those who pronounced the Constitution radically vicious, and sought to introduce French liberty and French principles into the country? He hoped not; and earnestly besought the House not to lay aside Acts that had contributed to their security, and the necessity for which grew greater as the crisis grew more alarming. This was no time for them to quit their intrenchments.

Mr. *Ellison* said, he should preface the few observations he had to offer to the House, by returning them his thanks for the indulgent manner they had listened to him upon a former occasion. There were some Gentlemen who had wished that this motion should never be brought forward. He confessed he was of a contrary opinion; for if there was a man in that House who was willing, at such a moment, to bring forward such a motion, he thought it better that the House should have a fair opportunity of expressing their opinion upon it. High as his opinion was of the talents of the right honourable Mover, he could not but regret that he had deemed it prudent to make such a motion:

“Who would not laugh if such a man there be,

“Who would not weep if Atticus were he.”

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The Bills which it was now proposed to repeal, appeared to haunt the right honourable Gentleman like the evil Genius of *Brutus*, while to them, he (Mr. Ellison), owed the tranquillity he enjoyed by day, and the repose by night. The right honourable Gentleman had considered the repeal of these Bills as necessary, for the preservation of Liberty; he could not help exclaiming "O, Liberty! under thy name what miseries have befallen mankind?" He was as anxious as any man, that the time should arrive when those Bills might safely be repealed; and when that time did come, he hoped it would not be by a solitary motion on the one side or the other that they would be repealed, but by the general consent of Parliament. The present Ministers had, in his opinion, been unjustly accused of being hostile to Liberty, because they were obliged to lay on it some temporary restrictions. If any particular Member were lame of an arm for instance, would not his surgeon order it to be bound up, until it was restored? and certainly some restrictions were necessary: schools had absolutely been opened for the purpose of teaching sedition; the People were told that all Government was tyranny, and that they ought to do what they pleased, and the present motion did not tend to eradicate those ideas. An honourable Gentleman (Colonel Fullarton), had said, that the object of Opposition was to make the Country contemptible abroad. He was inclined to think that the tendency and object of their conduct was to make Parliament contemptible at home. They were constantly told, that the majority were the slaves of Ministers, and a few Gentlemen arrogantly assumed to themselves all the patriotism in the House. This was a claim he would not allow, and he hoped every Gentleman around him would come forward and speak their sentiments boldly, and not suffer such insinuations to be made. He admitted that, in some things, he did not approve of the conduct of Ministers; but then it should be recollected, they were acting upon a large theatre, and great allowances ought to be made. Gentlemen had constantly the words, "the Country, Liberty, and Freedom," in their mouths, while they were actuated by "malice, hatred, and all uncharitableness" against Ministers, and treated those who had not the talent of talking, as the slaves of Ministers. But he would not suffer any set of Gentlemen to arrogate to themselves all the patriotism of the Country; he conceived the majority in that House as acting upon the purest motives, and as a check upon the conduct of Ministers; particularly in the disposition of public money. He was going to speak upon a delicate subject, and as it was very likely he

might make use of some absurd expression, as he was not in the habit of public speaking, he supposed it would be taken advantage of, like the expression "killing off," and others; he, therefore, begged previously to enter his protest against it. It had been the habit of some Gentlemen to make the People discontented with their situation. This appeared to him the very reverse of their duty. How different would it have been if Gentlemen had told their neighbours in the country, "submit to temporary restrictions; in a short time you will be more happy than ever you were, if you attend to your business." Such language as this would have been much more prudent than the attempts that were made to render them discontented, and much more true; for he was of opinion that every man in this country might grow rich if he was industrious, and instanced his own family in support of his assertions. Instead of this, Gentlemen robbed the People of their happiness, and in that respect were the worst of swindlers. Under these impressions he should give his vote against the motion.

Mr. Fox said I shall not abuse the patience of the House by trespassing long upon their time, but from what has passed in the course of debate to say a few words in reply. I was called upon by the hon. and learned Gentleman (Serjeant Adair) who spoke immediately after me, to state the particular clause in the Act which, in the County Meeting to which I alluded, prevented the assembly from choosing another Chairman, after the Sheriff left the Chair. I know no clause in the Bill by which they were absolutely precluded from taking this step; but I know that if a meeting is not legal, except it be convened by the Sheriff, it is no longer a legal meeting after it is dissolved by the Sheriff, so that if they had elected another Chairman, they were liable to be dispersed, according to the provisions of the Act. My learned friend is surely a better interpreter of an Act of Parliament than I can pretend to be, and when he shews that this is not the true construction of the Act in question, I shall bow with humility to his superior judgment, happy to find that the statute is less mischievous than I have always conceived it to be, and less oppressive than it has been supposed to be by the public. My learned Friend, in the sequel of his speech, urged a good many general topics, and among others, after allowing that the country was in a critical situation, contended that it can be saved only by a proper exercise of the wisdom and functions of Parliament. And in this sentiment I have the honour perfectly to coincide with him. I also agree with him in thinking that it is not by despondency that its fortunes are most likely to be retrieved. But when he
states

states that its salvation depends upon the House of Commons, acting with a spirit of independence, equally beyond the controul of popular cabal and ministerial influence, those who rest its safety upon this ground, and yet do not despond, must have more faith than reason in their creed.

An honourable Gentleman (Mr. Ellison) has brought a charge against me of introducing malice, hatred and envy, into the discussions of this House. I do not pretend to say that I am entirely free, more than others, from the influence of these passions; but I believe those who know me best, do not consider my character as most assailable on these grounds. I am also accused of arrogance by the honourable Gentleman. I should wish to know what he means by arrogance. Is it arrogant for a Member of Parliament to propose the repeal of an act in one session, which has been passed in another? Is it arrogant to propose, that one Parliament should differ in opinion from a former Parliament? If this is arrogance, away with all freedom of debate! Away with all the forms as well as with the spirit of the Constitution! The honourable Gentleman says, that it is not from talking continually of patriotism that men deserve the character of patriots. I have a great opinion of the honourable gentleman's talents and eloquence, and for his character I entertain a very high respect. But though I cannot presume to put myself in comparison with him, or to think that any thing that comes from me will have equal weight with the House with what he delivers, yet I believe I am fully as far inferior to him in the art of praising myself as in argument and in eloquence. This was a vice which I certainly avoided in my opening speech, nor do I know upon what grounds the honourable Gentleman preferred the accusation. No one ever heard me call myself a patriot, either in this or in any other debate. It is not by the assuming the name, but by a conduct worthy of it, that a man can justify his claims to the character. A gallant officer (Colonel Fullarton) was also good enough to pass some strictures upon my public conduct, and though he seemed to have come prepared to extend his observations to the subjects of this discussion, he stopt short after having expressed his sentiments upon the opinions I held, and the conduct I pursued at the beginning of the war. At the time when these opinions were expressed, and that line of conduct was marked out, he was generous and gallant enough, on account of the host of foes which I had

to

to encounter, to spare me the pain of his attack. Being then almost run down by the stream of eloquence in the House, and of popular opinion in the country, he scorned to enlist himself under the banner of my adversaries. But now when many have changed their opinion respecting the origin of the war, and I am not so singular as I was, the honourable Gentleman bravely, gallantly, and heroically comes forward in defence of the cause which he finds has lost some of its supporters and much of its popularity. The honourable Gentleman says, he never has been acquainted with me; I am sure I was once happy in his acquaintance. He says, that the motion which I have had the honour to make this evening, is a part of a system upon which I began to act four years ago. I confess it is a part of the system which I have uniformly recommended, of repressing sedition by concession, and of promoting the happiness and prosperity of the people by the extension of national liberty. If this is the system upon which I am accused of having acted, I plead guilty to the charge, and I agree with the honourable Gentleman, that the repeal of the Acts, named in the motion, belongs to that system. It has been started also, as an objection, that this is an improper time for moving their repeal. But I should wish to know why it is improper?—No reason; that I recollect, has as yet been assigned to justify the allegation. The same Gentleman affirmed, that my conduct has uniformly tended to render the country contemptible and insecure. If this then has really been the tendency of my conduct; as the measures which I have proposed have uniformly been rejected, the converse of the proposition must be true; and the country, in consequence of the principles which have been acted upon, and the measures which have been adopted, must be in a state of the highest respectability and most undoubted security! If this is its situation, so much the better; but if, according to my humble opinion, the country is neither respectable nor secure, I may be allowed the satisfaction of thinking that, at least, it is not owing to those measures which I have proposed, and which the House has rejected. A noble Lord (Morpeth) who spoke upon the question, as he did upon every subject, in a manner which did him much honour, asked if this was the time for them to relax from their vigilance, and to sink into a state of security; or, whether they ought not ratherto fortify themselves behind their entrenchments? I must beg leave, however,

ever, to tell the noble Lord, that, by adopting this mode of reasoning, he begged the question. Allowing that there is just cause for alarm, it remains to be enquired whether the Bills which are the subject of this evening's discussion, are fortifications and safeguards. If they were well conceived at first, and if they operate as anodynes to the discontent which may at present exist, then they ought not to be repealed. But the whole of my argument went to shew, that they tend to exasperate, and not to soothe the wound; to increase, and not to diminish the symptoms of the disease. The system which I have recommended is—That Government ought to make partial sacrifices of power to secure the remainder; and to beware of encroaching on the liberty of the Subject, lest the Subject should be provoked to attack the prerogative of the Crown.

I said in my speech in the opening of this subject—"Look at Ireland;" I was answered by the learned Serjeant, who desired you to decline taking any view of Ireland, but exhorted you to look at home; and then, in enumerating the advantages which he thinks have been produced by these Bills, he instanced the stop they have put to the correspondences of certain Societies in this country with France. I cannot conceive, how that can be said to have been the effect of these Bills; for that correspondence was antecedent by several years to the passing of these Bills, at least the only correspondence of that kind that I have ever heard of. I speak only of what I know; I do not know what the learned Serjeant may have been made acquainted with in the course of his attendance in aid of the King's council, in their enquiries into conspiracies. It was for that reason that I asserted, that I knew of none of the discontents which these Bills had put an end to. I was, therefore, surprised to hear that sort of merit attributed to these Bills. That correspondence with France was over long before we heard any thing of these bills; it was a correspondence of which you now apprehend no danger, and therefore there did not appear to me to be any necessity of alluding to it; but the situation of Ireland is not free from danger; and it did appear to me to be necessary to allude to the state of that country when we have before us a question of policy, which has some similarity to the measure which we are now discussing.

The learned Serjeant then proceeded to state, that the bills in question were very much misrepresented by those who opposed them. Some misrepresentation is perhaps, an evil inseparable

inseparable from any measure that is new, especially from that which is naturally alarming; these misrepresentations have been magnified and misapplied; that which would have been a misrepresentation of the bills after they were altered in the House of Commons, was a fair description of them when they were introduced, for we cannot forget the very material alterations that were made in them. He has applied, what was justly said of them at first, to what they were afterwards made, and then calls a misrepresentation a mode of discussing the subject, which I could hardly have expected from the well known good sense, as well as candour, of the learned Serjeant. But he says also, that when these bills were read by the public they were generally approved. I do not know how far that approbation extended, but I do know that there were associations entered into for the purpose of pursuing all legal means for obtaining their repeal. Of those associations it cannot be expected I should exactly know the number, but I can assure the House they were considerable for number, and highly respectable for character. True it is they have not come to this House in a regular way to express their sense upon that subject; but it must be remembered that the very nature of the bills themselves contributed to render any regular means to call for their repeal extremely difficult. I will admit, however, that these bills are forgotten by the public. Why? because events have crowded around so hastily, that we have hardly had time to think sufficiently long upon any thing. I gave an early notice this session, which I have now submitted to the House. After that came the question of sending money to the Emperor without the consent of Parliament; before this could be properly considered, came the stoppage of payment at the Bank; then came the state of Ireland; then another subject which we have lately been discussing. These were points which diverted the attention of this House and the public from these bills. I do admit that whatever I may think of these bills, administration had made a powerful diversion of the public mind upon them (not like their diversions upon the continent), they have contrived to give new evils, new disasters, new calamities almost every day, as the day came, ever since the opening of the present session, and therefore there is no wonder that the House and the public have thought so little lately upon the subject of these bills. But I am told to-night I have endeavoured to make this House contemptible in the eyes of the public. I want to know on what the honourable Gentleman who accuses me founds that accusation?

culation? I have not been at any public meeting to declare the opinion which I entertain of this House of Commons. Whenever I shall be in a place where that is necessary, I shall declare what I think of this House of Commons, and I shall feel no difficulty in doing so. And although I have been charged with arrogance to night, I feel as little difficulty in declaring that I do for myself and for those with whom I have the honour of acting, wish, and have endeavoured to draw the public to make a comparison between our conduct and that of those whom we have opposed in the course of the present war. I say we are arrogant enough to think that such comparison will be to our advantage. But the honourable Gentleman thinks that the House of Commons have done their duty, although, by way of parenthesis, he stated that he thought in many points the Ministers were to blame. How unfortunate it is that he has never expressed by his speech, or even once by his vote, the points upon which he was so convinced. The House of Commons, it seems, is a check upon Executive Government. It exercises a controul over the expenditure of the public money. This is an assertion that comes from an honourable member who is offended with the freedom which is taken with this House, after it has refused to censure the Minister for making a clandestine and illegal loan to the Emperor; after it is notorious that the Minister told us that 18 millions were sufficient for the service of the year, and then we find that six and thirty are insufficient, exceeding what Parliament ever did before, in the amount of the sum, and refusing to censure the Minister for a clandestine and illegal sending away of the public money; we are told that the Parliament is a check upon the Executive Government, that the House of Commons has exercised or ought to exercise, a controul over the expenditure of the public money. The honourable Gentleman, if he will have the words, has not made his way to my comprehension; I want either understanding or credulity to keep pace with him, when he says, that the House of Commons is a check and controul over the Executive Government in the expenditure of the public money; I also want faith when he asks me to consider that those only are patriots who act as he does, who vote always with the Minister, although they see in his conduct many points that are to blame. But it is said that the authority of Parliament must be supported, that it should be esteemed by the public. If it be so, the way to possess that esteem is not for the majority to praise itself, and follow implicitly the dic-

tates of a Minister, but shew its claim to that esteem by its actions ; to be jealous and prone to enquiry, not confident in a Minister, and careless of the tendency of his measures. It is contrary to the common sense of mankind in all the affairs of this world that confidence should follow failure. The honourable Gentleman says, that success cannot be commanded by human power ; certainly not ; but is mistake a ground of confidence ? Is misfortune a ground of confidence ? Is failure a ground of confidence ? If they are, then Ministers are entitled to an ample share of it. But will the public allow that these are just claims to confidence ? When they see that this House increases in its confidence in proportion as mistake, failure, and misfortune appear, they will be apt to think there is some cause which is not avowed by this House for the confidence they place in the Minister. I cannot help pursuing this idea a little further, for this doctrine of confidence is assuming a new shape. I well remember the administration of the late Earl of Guildford. He failed in the progress of the late American war, but I do not recollect that his failures were stated by his advocates as any ground for continuing, still for increasing confidence in his administration. But the most extraordinary point of all is, that we are desired, and almost commanded, by some Gentlemen to be unanimous now in this House in support of the Ministers. What does this modest Gentleman propose, who accuses me of arrogance. He thinks there are many points in the conduct of Ministers for which they were to blame ; but now we have a complete proof of their merit, it is patriotism itself to confide in them now, for they have completely failed in every thing they have undertaken. I think this is asking a little more than those who complain of the arrogance of others have a right to ask.

But it seems this is not a time when you should tell the people they have any grievances. This is a country in which every person can gradually become rich by the exertions of his own industry. The honourable Gentleman who spoke last hinted that to be his own situation by the exertion of his ancestor. But I apprehend that this preaching of the prosperity of a few will not tend much to satisfy the many ; to talk of prosperity to those who do not feel it, is not the way to gain many converts. When you feel that the people are falling into a general despondency ; when you feel that you are approaching a dangerous crisis, for so you are, it is folly to attempt to disguise it ; is that a time for you to say to the public, ' do not mind public business, mind only your
now

own private concerns ; confidence in that Executive Government that has brought upon you your present calamities, for they alone can save you from utter ruin.' Is that a time to preach to them of the propriety of their indifference? No! It is a time in which you shall call upon them to join in the public concern. You should therefore not contract the sentiments of the people, you should expand them. I am sure you will never succeed by any theory, however ingenious, that has for its object the silencing of the public voice. The state of the knowledge of mankind will not admit of your attempting it. If it be your object to get through your present difficulty, you must give to the people the advantages of popular government in substance, instead of attempting to amuse them with imaginary excellence. I did not intend to make these observations when I brought this subject forward, but they became necessary in consequence of what some gentlemen thought fit to say this night.

Mr. *Cholmondeley* was of opinion, that to repeal those bills during the present critical situation, was to revive sedition, which they considerably tended to repress and extinguish, and consequently to frustrate the salutary effects which they had already so fortunately produced. The present administration had, in his mind, adopted no measures more timely, more prudent, more constitutional, or more friendly to freedom, than the introducing and passing those bills, to which he was bold to say we were indebted for the preservation of our liberties, our constitution, and our lives; and viewing them in that light, he would give a decided negative to the present motion.

The question was now loudly called for, and the House divided on Mr. Fox's motion.

Noes,	—	—	260
Ayes,	—	—	52
		Majority	208

Adjourned at ten o'clock.

HOUSE OF LORDS.

WEDNESDAY, May 24.

SCOTS APPEAL.

Their Lordships heard Counsel relative to the Scots Ap-
 peal, wherein William Gibbon of Edinburgh, merchant, was
 2 H 2 appellant

appellant, and Alexander Wight and Robert Playfair, writers to the Signet, Trustees of the Sequestrated Estate of John Jackson of the Theatre-Royal, Edinburgh, were respondents.

After a long hearing, of Messrs. Anstruther and Adam, for the appellant, and the Attorney-General and Mr. Nowlan for the respondents, the Lord Chancellor moved the House to affirm the decree of the Scots Court, in a cause, where, he observed, a pure and ample spirit of litigation had been manifested, and to attach the full amount of recognizance, and 200*l.* as costs, to the appealing party—Which was ordered accordingly.

The various bills upon the table were forwarded in their respective stages.

Several bills were brought up from the House of Commons, and read a first time.

Lord *Auckland* moved for the production of a variety of State papers, which were ordered to be laid before the House.

HOUSE OF COMMONS.

WEDNESDAY, *May 24.*

Lord *Stofford* reported the answer of his Majesty to the address of congratulation from the House on the marriage of the Princess Royal.

Mr. *Jekyl* moved for the addition of several names to the Committee appointed to take into consideration the case of Mr. Palmer, late of the Post-Office, as also certain documents to be referred to that Committee.

Ordered.

Sir *W. Dolben* brought up the bill for regulating the shipping and carrying slaves in British vessels from the coast of Africa, which was read a first time, and ordered to be read a second time on Friday.

The House, in a Committee of Ways and Means, on the motion of Mr. Rose, agreed to the new duty on all Promissory notes, as stated by the Chancellor of the Exchequer in opening the Budget, and also to a duty of 6*l.* on admission into offices of a certain annual income, &c. Report ordered to be received the next day. Further Committee on Ways and Means on Friday.

The bill for empowering his Majesty to draw out and embody

body the Militia in the Tower Hamlets, passed a Committee of the whole House. The report was received immediately, read, agreed to, and the bill was ordered to be ingrossed.

Sir *John Sinclair* postponed to the next session the further progress of the bill for dividing, allotting, and inclosing Waste Lands, and for holding them in severalty. The other bill for inclosing Waste Lands by agreement between the parties interested, &c. passed the Committee of the whole House, and the report was ordered to be received on Tuesday.

The adjourned debate on the Corn exportation bill, under certain limitations, &c. was resumed, and the bill was passed on the motion of Mr. Ryder, and the acquiescence of Mr. Whitbread.

INCREASE OF PAY TO THE ARMY.

The House have resolved itself into a Committee of Supply, and the estimates, presented on Monday last, being referred to the said Committee,

The *Secretary at War* said, that the resolution which he should have to propose to the Committee, was grounded upon the estimates before them. All persons acquainted with army affairs must see the necessity of increasing the pay of certain classes in that service; and that such necessity either existed now, or that the measure must be adopted within some time not very distant from the present, on account of the great increase in the price of every necessary of life since the very distant period when the allowances were made which the soldiers of the army hitherto enjoyed. A certain allowance had been made about four years ago to every soldier, called Bread-money; and, previous to that time, many persons thought it was very difficult for a soldier to exist on his pay. It was a consideration of this kind which had induced his Majesty to allow that increase of pay called Bread-money. Besides this, the soldiers received, since that time, another assistance, which was effected under the direction of the Duke of York. This was an extra allowance of bread and meat, in times of great scarcity. Notwithstanding these increases, something was still to be done, in order to make the situation of the soldier more comfortable. The necessity, however, of such a measure was not so great, but that it might be dispensed with for some time longer; but as
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the other great branch of the Military Department had lately become an object of public consideration, and as the Legislature had granted to them (the Navy) an encrease of pay, he conceived it to be extremely proper that a similar attention and assistance should be given to the army at the present time, provided the subject was maturely weighed and considered by the House. The Committee must then perceive, that they were coming to this business without any embarrassment; for no applications whatever had come from the army for an increase of pay; and their conduct was not only 'free from blame, but so highly meritorious, that they were entitled to every attention from the Legislature, and to an equal participation of advantages with the Naval Department. That the great body of men who composed this latter branch, they who had ever been the most loyal of those to whom the defence of the country had been entrusted, and those who had ever been the darling objects of the British nation, that they should so far forget their allegiance as to press their application, without sufficient reason, to the extent they had done, was matter of great regret and surprise. But there was one circumstance, of which gentlemen were not aware: they did not fully know the extent and activity of the diabolical arts that had been practised to seduce the seamen of the fleet from their duty. These were the true effects of that spirit of Jacobinism which had been spreading through the country for some years past, and which, with incessant exertions, equalled only by its innate malignity, was making the same attempts upon the army, which however were hitherto without success, and which were rejected by the soldiers, except in a few straggling instances. If, therefore, under all circumstances, in the midst of all these endeavours and temptations, the army still continued firm in its allegiance, the House would see the necessity of giving the soldiers every relief which their situation might require. Under this persuasion, he would state to the Committee, the proposition he meant to bring forward that day, and which related only to the soldiers. There was, however, another proposition which he intended to lay before the House on some future day, which was to extend relief to the subalterns of the army. There would be another estimate on this subject; and this, with some arrangements that were to be made, obliged him to postpone the consideration of it for a short time longer. He thought it necessary then to state, that this relief was not
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be extended beyond the subaltern officers of the line, whose situation was more embarrassed than that of any other description of the Military Department, and who had the most claims on the consideration of Parliament. With respect to the intended augmentation of pay to the privates and non-commissioned officers, he would take a foot-soldier for a general standard, it being meant to propose an equal increase throughout, to infantry and cavalry. Every private foot-soldier at present cost the public 11d. three farthings a day. This sum he wished to extend to 1s. 1d. halfpenny. This addition would make to the public a difference of 1d. three farthings only; but to the soldier it would be an increase of 2d. subject at the same time to a small deficiency. In order that the Committee might understand this statement, he would inform them of the distribution of a soldier's pay, which might be considered under five different articles. First, he received 6d. a day for subsistence; next, 2d. farthing a day called Consolidated allowances, and put into that form by the Duke of York; after that, were two allowances of a penny a day each, for bread and meat, which were made by Government, in order to make up to the soldier the difference between the fixed and current price of those articles. One of these was fixed to a penny a day; the other might be less than a penny, because the price of meat might be lower at one time than at another. This allowance, therefore, being commuted, and made good in future to the soldier as an entire penny, would serve to make up this difference which he had just stated. The last article related to that sum, which from early times had been allowed to soldiers in barracks for beer money, and which, while in quarters, was at the expence of innkeepers; but at present this was commuted by Government, at the expence of one penny halfpenny a day. The sum which the soldier at present received was 8d. farthing a day. But by the arrangement which Government would form, and by leaving the application of the money in some instances to himself, he would have a clear addition of 2d. a day more; while the additional charge to the public as he stated before, would only amount to 1d. three farthings. The allowance would be the same to infantry and cavalry, and whatever allowance they had had before, would still be continued to them. The additional sum allowed to a corporal would be 2d. halfpenny, and to a serjeant 3d. He did not think it necessary to go into any more details on this subject, concerning which he did not conceive there would be any difference

ference of opinion. Gentlemen would be ready to anticipate the measure he should on another day propose for the relief of subalterns. At present he would conclude by moving a resolution on the first estimate, namely—"That a sum, not exceeding 224,000*l.* be granted to his Majesty towards defraying the additional charges in the augmentation of pay to the privates and non-commissioned officers of the army, to be incurred from the 25th of May 1797, up to the 24th of December following."

Mr. *W. Smith* observed, that much having been said on the subject of misrepresentation out of doors, he should guard himself in what he had to say in such a manner, he hoped, as would not be misunderstood. No one could be more convinced than he was, that the present pay of the soldier was too small. He should not make any observations on the detail of the subject, for he was aware that he was not qualified to do so; but when this subject was brought forward by the Chancellor of the Exchequer, the other day, he called on the Minister to explain the order that had been made, by calling for the copy of the minutes of in the Orderly Book, relative to this subject. It was hinted to him that no official intimation had been given; and probably none could be found in the book. But he was aware that an official communication was made to the Guards, on Monday se'nnight last, as followed, [He read the communication, which has already appeared.] Now, whether this was or was not entered in the Orderly Book, made, in his view of the matter, no difference whatever, for no serjeant would have ventured to make that communication to the soldiers if he had not received orders to do so; and no orders could have come from any but his Majesty's Ministers. It was said, that much praise was due to the men for their good conduct; which he did not feel himself disposed to dispute. But there was no reason why a communication upon this matter should not have been made to the House sooner than it was. He saw no reason why a communication should have been made to the army previous to that which was made to Parliament. He conceived that it was only through the intervention of Parliament that this measure, however necessary, could be legally carried into execution. He therefore thought, that as there was no danger apprehended, that the communication should have first been made to Parliament. This was right in a constitutional view; and was right also upon practical effect, because whatever there could be deemed of grace or favour in the measure, it ought to come from Parliament, and not from the Minister. The Executive Government had made a promise to the soldiers before they

they came to Parliament. He did not chuse to impute bad motives to Ministers, but he could not help observing, that such practices tended to shew, that we were probably brought under a military Government. The manner in which this was done appeared to him not only to be unconstitutional, but to be of the most dangerous tendency.

The *Chancellor of the Exchequer* said, that the proper way to judge of the present subject was to consider, whether, at the time that it was in the contemplation of Government to improve the situation of the soldiers, it was not advisable to tell them of such a circumstance having been determined upon. This was the mode of proceeding which had been recommended by that illustrious personage who was at the head of his Majesty's land forces. He did not conceive that the smallest idea could dwell on any man's mind, that it could for a moment be implied, that these things were not to be done by Parliament. After such a measure had been determined on by Government, the question was, whether there might not, in the opinion of the Commander in Chief, have been good reasons for making a communication on the subject to the soldiers of the Guards. This question he would leave to the candour of the House; and it could be no contradiction to it to say, that, while every diabolical practice which the active malice of Jacobinism could suggest, had been used to debauch the soldiers, they had remained unshaken in their loyalty and attachment to their country and their Sovereign. Would it have been advisable to suffer them to remain exposed to all those wicked artifices, without letting them know what the benevolence of their Sovereign was intending for their relief? He hoped there could be no suspicion that the step had been taken from any improper motive. With respect to Parliament not having it in its power to refuse the promise made by the Executive Government without incurring odium, he would ask in that view, how any thing could be proposed? And it was well known that the House could reject any thing which Government might have announced. The House therefore could be under no kind of embarrassment in consequence of the transaction having come forward in its present shape. Therefore he would appeal to the candour of the House, and hope that a subject of so great importance might not be embarrassed by any discussion of that kind which had been started by the honourable Gentleman.

General *Tarleton* approved of the allowance now proposed to be made to the soldiers; but censured the unconstitutional manner in which Ministers had neglected to communicate the matter to the House of Commons. He considered this as a

part of the system of his Majesty's Ministers, as they had evinced by the manner in which they had kept back the estimates of the expences of barracks until some of them were almost built; and by their sending money abroad without the consent of Parliament.

Mr. *Smith* explained. He said it would be impossible for the House not to comply with a promise like that which, in the present instance, had been made.

Mr. *Fox* said, there was an essential difference between a notification of the nature to which the estimates now before the Committee referred being made in the first instance by the Executive Government and Parliament. When the soldiers heard of the boon in the first instance, they would be naturally led to conceive it as originating in them, whereas, had the first communication been made by Parliament, they would have felt gratitude to a branch of the Legislature to which alone the right of bestowing the boon belonged. He had nothing to urge in addition to what had been stated by his honourable Friend (Mr. W. Smith), particularly as he had had many opportunities, during the present Administration, of expressing his opinion upon this constitutional topic. He should only say that, if ever there was a time when the soldiers should be taught to consider the Constitution in its true light, this was the time.

Mr. *Martin* agreed with the measure, but disapproved of the mode in which it was carried into execution.

Mr. *Sergeant* moved, that the sum of 1,600*l.* should be granted to his Majesty for defraying the expence of an additional allowance to the corps of Royal Artillery, &c. Both these resolutions were agreed to by the Committee, and the House being resumed, they were reported immediately, and approved of.

THE SEAMEN.

Mr. *Sheridan* stated, that he had the preceding day given notice of a motion on a very important subject, which he could have wished to have passed without farther discussion. The proposition, however, which he meant to bring forward, he was persuaded might be adopted without any interference with the Executive Government, and without compromising the honour of the country, that proposition he had thought fit to submit to his Majesty's Ministers, and as they thought a pause was requisite to give them an opportunity of deliberating upon its merits, he should defer laying it before the House till the next day.

Upon the request of Mr. Secretary *Dundas* it was farther postponed till Friday, at four o'clock.—Adjourned.

HOUSE

HOUSE OF LORDS.

THURSDAY, MAY 25.

In virtue of a Royal Commission, his Majesty's assent was given to the Emperor's and Discount Loan bills, the Attornies Stamp Duty Bill, the Promissory Note bill, the West-India Governor's Indemnity Bill, the Middlesex County Rate bill, the Foreign Ship Prize bill, and seven other public and twenty-two private bills.

The Thanks of his Majesty to the Congratulatory Addresses of the Lords, on occasion of the marriage of the Princess Royal, were presented by the Duke of Dorset; the Thanks of her Majesty on the similar occasion were presented by the Earl of Harcourt; and the Thanks of the Prince and Princess of Wirtemberg were presented by the Duke of Montrose.

Adjourned.

HOUSE OF COMMONS.

THURSDAY, MAY 25.

The East-India Volunteers, and Penze Inclosure bills, were read a third time.

The Resolutions of the Committee of Ways and Means were reported and agreed to.

Lord *Stafford* brought up an answer of Thanks from her Majesty to the Congratulatory Addresses voted to her by the House upon the marriage of the Princess Royal. Lord *Gore Sutherland* brought up similar answers from the Prince and Princess of Wirtemberg.

NEW BANK.

Sir *William Pultney* said, he had come down that day prepared to bring forward the motion of which he had given notice on a former day. But as he found that some Gentlemen, whose presence he conceived to be necessary on that occasion could not attend, he would put off the motion to Tuesday next.

NEWSPAPERS.

The order of the day for the commitment of the Stamp Duty bill being read,

Mr. *Rose* desired that it might be put off till the following day.

Mr. *Sheridan* said, he wished that such part of the bill as related to Newspapers might be made a separate and distinct bill. He had originally declared his intention of opposing this tax in every stage, and he should have done so hitherto had he known

that it was wrapped up in the present bill. He did not consider it as a measure for the purpose of levying revenue, but a bill of pains and penalties on the press, and calculated to stop those useful publications which were so necessary to preserve the freedom of our Constitution, and inform all ranks of people. He would therefore at present move for dividing the bill into two bills; and he hoped the honourable Gentleman would not object to such a motion, if he desired that the bill for taxing newspapers should be separately discussed. He would move, then, "That it be an instruction to the Committee, to whom the Stamp Duty bill was to be referred, to divide the same into two separate bills."

Mr. *Rose* said he would oppose the motion. When the bill came into a Committee the honourable Gentleman would have an opportunity of discussing that part of it which he objected to.

Mr. *Sheridan* replied, that the proper opportunity for discussing the tax he objected to was on the second reading of the bill, which he had been prevented from doing in consequence of the secret manner in which it had been introduced. In the Committee he certainly would endeavour to do some justice to the proprietors of newspapers, by proposing that the tax should at most be but one penny, in order that they might be indemnified for the losses they would otherwise sustain by the increase on the price of the paper being no more than the additional duty.

Sir *William Pulteney* thought it was wrong in the honourable Gentleman to make an objection to the motion on a point of form. The tax in question was a very objectionable one, and met with much general disapprobation; he would therefore second the honourable Gentleman's motion for dividing the bill.

The House then divided on the question,

<i>Ayes,</i>	—	—	19
<i>Noes,</i>	—	—	45
			—
		<i>Majority</i>	26

In the Committee on the Corporation Jurisdiction bill, a long conversation took place between the *Solicitor General*, Mr. *Hawkins Browne*, and Mr. *Rose*, who opposed the bill, on the ground of its altering old established customs; and the *Master of the Rolls*, Mr. *Percival*, Mr. *Jekyll*, Mr. *W. Bird*, Mr. *Hobhouse*, and Sir *W. Geary* who supported it, on account of the difficulty of persons obtaining fair trials in most corporations. But some of these Members wished that certain large towns might be exempt from the bill.

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The Committee then divided on the question, that the Chairman quit the chair, and report progress.

<i>Ayes</i>	—	—	16
<i>Noes</i>	—	—	26
			—
		<i>Majority,</i>	10

A bill to enable Roman Catholics to hold Commissions in the Militia and Provisional Cavalry was brought up, and read a first time.

Mr. Alderman *Lushington*, after having previously obtained leave, presented a petition from several Owners and Masters of ships, praying for leave that a bill might be brought in to relieve them from the consequences of a decision lately made in the Court of King's Bench, that they were to be answerable for all damages sustained by the cargoes in their ships. Ordered to lie on the table.—Adjourned.

HOUSE OF LORDS.

FRIDAY, *May 26.*

APPEAL FROM A DECREE IN CHANCERY.

STANDEN V. MACNABB AND OTHERS.

Their Lordships heard Mr. Graham, and another barrister, at considerable length, on behalf of the appellant. A third Counsel attended, but was not heard.

It was deemed unnecessary to hear the Solicitor-General, or Mr. Mansfield, who attended for the respondents.

After the Counsel had withdrawn, their Lordships immediately affirmed the decree of the Court of Chancery.

The various bills on the table were forwarded in their respective stages.

Mr. *Hobart* presented the Tower Hamlets Militia bill, from the House of Commons; as did Mr. *Ryder* the Trinidad Free Port bill. A great number of private bills were also presented; all which were severally read a first time.

STATE OF THE NATION.

The Duke of *Bedford* said, he had attended with the hope of seeing some of his Majesty's Ministers in their places, but as that was not the case, he thought it proper to inform their Lordships that on Tuesday next he meant to propose a motion for an humble address to his Majesty on the present situation

254 WOODFALL'S PARLIAMENTARY REPORTS. [COMMONS,
situation and circumstances of the country, and previously to
suggest such measures as seemed most necessary and expedient
to be adopted in consequence of such situation.

The House adjourned till Tuesday.

HOUSE OF COMMONS.

FRIDAY, May 26.

The Trinidad Free-Port, Tower-Hamlet militia, Sail
Cloth duty, Wark and Moorlinch Inclosure bills; were read
a third time, and passed.

The Pilchard Fishery bill, and the Slave Carrying bill,
were read a second time, and committed.

Mr. *Wigley* obtained leave to bring in a bill to enable the
Commissioners of the Stamp Duties to order a proper stamp
to be fixed on certain legal instruments upon the payment of
the duty.

On the motion of Sir *Wm. Dolben*, a Committee was
ordered to be appointed on Tuesday next, to take into con-
sideration the propriety of granting certain bounties to the
masters and surgeons of vessels in the Slave Trade, where is
the least mortality of slaves.

The order of the day for the Committee on the Stamp
Duty bill was postponed to Tuesday next.

Mr. *Rose* obtained leave, in the absence of the chairman,
to bring up the report of the Committee on the Assessed
Taxes bill, and the bill was afterwards ordered to be read a
third time on Tuesday next, and then engrossed.

SEAMEN.

Mr. *Sheridan*. I now rise to address the House on a subject,
in my opinion, as important as any of those which have of
late occupied our attention; a subject which is, in my humble
opinion, in comparison of all others, deserving the most seri-
ous consideration and attention. Sir, I believe the idea which
this House has formed of the motion I expressed my intention
to make, has been founded on a mistaken notion. It was sup-
posed that I merely intended to complain of a certain paper, of
a gross and mischievous nature, which had been published as a
manifesto of the British Seamen on board his Majesty's fleet,
and which contains some personal allusions to myself; but as I
have been uniformly an advocate for the liberty of the press,
and am desirous of preserving some consistency in my public
character,

character, I can assure the House, that, whatever personal invective that paper may display against me, those considerations would deter me from attempting any prosecution either of the printer or the writer. On the contrary, Sir, the proposition I had to make was of a conciliatory nature. I do not retract in the smallest degree from that opinion which I expressed upon a former occasion, that the perseverance of the seamen in a state of insubordination, after their demands had been complied with, was not to be ascribed to any change or revolution in the old characteristic of British seamen, but must have been owing to misrepresentations and falsehoods circulated among them. That there should be men in the country capable of employing such misrepresentations and falsehoods is a matter much to be lamented, but there is something consolatory in the reflection, and the mischief is not in the minds of the seamen themselves, but is the consequence of the arts and delusions which have been practised upon them. Sir, I hold in my hand a paper, which has been circulated with great industry among the seamen: it is a paper purporting to be an appeal to the British nation from the seamen on board Lord Bridport's fleet. This has been sent to Plymouth and Sheerness, where it has been circulated with the most fatal success. Sir, I did, on a former day, take the liberty of saying, that this Paper, from the internal evidence it carries with it, could not be the composition of the Delegates of Lord Bridport's fleet; I am still of the same opinion, yet I confess there are such circumstances of apparent authenticity about it, that I am not at all surprised, that the printers and proprietors of newspapers should have been imposed upon, and led to believe it to be authentic; and I have no hesitation in saying, I do firmly believe the seamen, among whom this Paper has been circulated, believe it to be the Proclamation of the Delegates of Lord Bridport's fleet, and that they were well founded in point of fact, in the assertion that their grievances remained unredressed. Those persons, therefore, who believed it to be the spontaneous production of the seamen, might not be astonished that the seamen should continue to remain in a state of suspicion and insubordination; besides, the paper was printed at Portsmouth by the very same persons who had printed the other papers of the Delegates, and this incident among the rest promoted the delusion. The manuscript was brought to him from on board the fleet. If it was brought by the Delegates themselves, they must have been grossly imposed upon. There is nothing in it of the British sailor. The rough, honest, manly conformation which characterized the former publications of the seamen is entirely extinct,

extinct, as Gentlemen would soon discover. The language in which it is drawn up, is more like the language of a Circulating Library, than that of a Forecastle. It is no more the production of a British Seaman, than a British Seaman is the enemy of his country. This paper purports to be an appeal to, "*A Loyal and Discerning Nation.*"

Mr. Sheridan proceeded to read and comment on several passages of it; and dwelt particularly on the two following:

"No sooner was the pardon granted, but in direct contradiction to that royal proclamation, were individuals selected for the express purpose of sacrificing them to avarice and private resentment."

And again,

"At length, the breasts of seamen, fired with indignation at being neglected, burst forth on the 7th instant. It was then, oh! horrid to relate! That we found out the schemes laid out to sacrifice some of the brightest gems that ever adorned this or any other country. Are, then, poor but loyal individuals lives to be sacrificed for the mere sport of tyrants?"

Now, Sir, when a paper of this description is circulated with avidity round our coasts, is it not fit that a clear contradiction should be given to it? Is it not necessary that a paper which has manifestly imposed on the understandings of British seamen should be cleared up to them, and its falsehoods detected. With respect, Sir, to the calumny itself, it would be an insult to the understanding of the House, if I should suppose a doubt existed respecting it. I am no friend to his Majesty's Ministers; on the contrary, I think there is not a more determined irreconcilable and inflexible enemy to them and their system than myself, but to insinuate that they or any one of them could have possibly harboured such a thought as that imputed to them by this manifesto, that any one of them could have had such an intention after the pardon granted by his Majesty to the seamen. If I could insinuate this, I should deem myself not merely an enemy of his Majesty's Ministers, but of the country. Sir, I cannot be suspected of complimenting the House of Commons, I have differed from them on almost all occasions, yet I think I may say, that with respect to good will towards British seamen, its sentiment has never been different from my own. If ever man loved man; if ever one part of the People loved another, the People of this country love the seamen. The individuals of this House have ever loved the seamen, and in *this* respect at least, have shewn themselves the Representatives of the People. Whatever has been at any period proposed in this House for the benefit of the seamen has been adopted, not only with readiness, but almost with acclamation.

mation. An honourable Gentleman whom I do not now see in his place (Mr. Dundas) has on many occasions brought questions before this House, for the advantage of the seamen, which have been acquiesced in with the same satisfaction they were proposed.

With respect to that part of the publication which relates to myself, I have but to recur to the style of it, in order to convince the House it never was the composition of British seamen. It runs thus; "Oh! Sheridan, Sheridan! if this be your mean opinion of British seamen, thou knowest very little, very little of seamen's sentiments." Sir, I certainly did say, if they remained dissatisfied after their request had been granted, and at a time too when the fleet of the enemy might be at sea, I did say, if after their demands were satisfied, they remained in port, endangering by such conduct the safety of the British empire, that it must be because they were worked upon, and their judgment mislead by a species of the foulest and basest treachery. The paper states further, "What, accuse us of treachery, impute treachery to us, its principles we disavow." Sir, I appeal to the candour of any man, whether it was, in the remotest degree, accusing the seamen of treachery, when I said they must be the objects of that treachery which had been the cause of their delusion, if they continued dissatisfied after their demands were complied with. They could not have selected any individual on whom to make a charge of such a nature who so little deserved it. Sir, with respect to another observation in the same paper, "that the honourable Gentleman thinking he had defeated the Chancellor, attacked the poor but loyal tars," it is equally inapplicable to me. The structure of the sentence to be sure, is *very like* the style of writing of a British seaman, and of all men in the world, they could not have selected any person less capable of defeating the Chancellor of the Exchequer than I. I wish the former part of the assertion were true; I wish to God, I had defeated the Chancellor of the Exchequer (a laugh). Sir, I cannot instance a greater proof of my endeavours to promote the advantage of the seamen, than that in the year 1786, in the seventh session of the then Parliament, a Gentleman did twice bring a Bill before the House, which I afterwards renewed, for the general benefit of seamen; and though the principles of such Bills were objected to, it did happen they had for their object the redress of those grievances which have of late been the subject of complaint. Sir, I have ever been their friend, but never more so than at this period, in warning

them against those artifices which have been practised to seduce them. When people tell them that the Navy can be managed without subordination, they may as well tell them a ship can be managed without a rudder; they had better pull down the masts and the shrouds, and lay them on the deck, than pull down that system of order and regularity, upon which the very existence of the fleet depends. At the same time, Sir, it should be understood that there are no further grievances, if any exist, which we will not redress. I have nothing more, Sir, to state, than these observations in justification of myself. It was my intention to have proposed to the consideration and adoption of the House, a motion of a consolatory nature; yet from what I have heard, I am convinced His Majesty's Ministers can have but one wish on the subject, namely, to restore that harmony in our Navy, which has been so unhappily interrupted. As, however, it has never been my wish to throw any impediment in the way of the public service, I shall not press my motion.

The *Chancellor of the Exchequer* trusted, that, although there was no motion before the House, he should be forgiven for the intrusion of delivering a few sentiments on the observations of the honourable Gentleman, because he felt a desire, in the first place, to acknowledge the fairness, liberality, and candour with which the honourable Gentleman had discharged the great and important task of his public duty; and because, with regard to the particular motion which the honourable Gentleman had intended to bring forward, he was anxious to state, that however inexpedient it might be, it was not liable to those objections which he had apprehended, when the notice of the motion was first given. He was happy that the honourable Gentleman did not press his motion, and he was more happy to hear him with so much candour confess, he waved it for that reason which his Majesty's Ministers had pointed out, and thereby testifying that he did not conceive the objection of his Majesty's Ministers to be a captious or a light one. Whatever political differences there might be between them, he trusted their present co-operation of sentiments were not peculiar to themselves, but that they were the sentiments unanimously entertained by the House; the sentiments unanimously entertained by the public; and he hoped they would soon be unanimously entertained by the seamen also. The honourable Gentleman had praised the House for its uniform attention to the interests of the Navy, and he certainly had not spoken too strongly when he did so, since the House had unexceptionably
shewn

shewn a predilection, a partiality, and attachment, he might say a zeal amounting to enthusiasm, in every question which tended to contribute to the glory, the safety, and the happiness of the British sailors.

Whatever effect the most criminal and wicked machinations ever known in this kingdom might have hitherto had upon the seamen, to seduce them at this critical moment from their usual affection and allegiance to their king and country, he hoped and trusted, after this explanation, that they would immediately resume their native character, and triumph over the perfidious artifices of their instigators, which were no less morally and finally disgraceful and destructive to them, than they were hostile and injurious to their country. In regard to the fabrication of the paper, it was unnecessary to produce any other reasons than those which the honourable Gentleman had given; but if ever there was one instance more than another in which it was evident an imposture had been pushed too far, it was that opprobrious calumny upon the mercy of the sovereign; since it was impossible for any seamen, as it was for every person, for one moment to harbour an idea, that after his Majesty's Ministers had advised his Majesty to issue an unlimited pardon to all who returned to their allegiance and duty, they should ever entertain so cruel and impolitic a design as to seek for exceptions or retract in the smallest degree from that complete oblivion which had been promised. To those who have availed themselves of his Majesty's gracious pardon, by an immediate return to their duty and subordination, the indemnity was certain, and the oblivion complete and unexceptionable; but God knows, said Mr. Pitt, what measures it may be necessary to adopt to prevent the diffusion of proceedings inimical to the security and happiness of every individual. He concluded by begging pardon of the House for his intrusion on their time and patience, in a manner so irregular and so unusual, when no motion was submitted, but the importance of the subject appeared to require some observation.

PARLIAMENTARY REFORM.

Mr. Grey rose, in pursuance of a notice which had been given, to move for a reform in the representation of the people. In bringing forward a notice of such a nature, he laid his account from past experience, with exposing himself to many uncharitable imputations. If, in their resistance to the destructive system of Ministers, if in their endeavours to check them in their ruinous career, if in their efforts to controul them in their profuse and extravagant waste of public money, he and

his friends had incurred imputations of a wish to gratify personal interest and private ambition, and of a wanton desire to thwart Executive Government, they could not in the present instance expect to escape similar, or still more odious imputations. It was some consolation, however, that though their exertions were not well received in that House, the public might pass a different decision upon them, and to the public would the eventual decision belong. It might perhaps be called presumption in him to call the attention of the House to the conduct of an individual so insignificant as he was. They would do him the justice, however, to allow that, in his propositions for a reform in Parliament, he had never proceeded on any speculation of natural and imprescriptible rights.—The measures which he had the honour to bring forward were founded, not in speculative, but on practical grounds. Both the speculative and practical defects of the present system had been so largely discussed, and so often repeated, that his labour on the present occasion was much abated without injury to the cause. His views, he repeated, had proceeded on practical grounds, and not on grounds of right, because no man could claim any particular form of Government upon a ground of right. Here, however, he begged not to be misunderstood when he stated this proposition; he avowed that there was no man more warmly attached to, or who would more steadily support the natural and imprescriptible rights of mankind:—these were liberty and security; and when liberty and security were not properly guaranteed by any particular system of Government, either in consequence of original or accidental defects, the people, who lived under it, had a right to demand either that it should be changed or amended. But on the other hand, the advocates for universal suffrage, before demanding that their plan should be adopted, were bound to shew that it was for the good of the people that it should be adopted. It would be also recollected that he had never grounded his motion for reform upon the inequality of the present misrepresentation. Inequality of representation of itself he did not consider as a sufficient ground of reform. For instance, he never had argued that there should be a reform in the representation of the people, because Cornwall sent as many representatives to Parliament as all the counties of Scotland together, and because there were some Boroughs with a few houses, and a handful of inhabitants, returned as many members to the House of Commons as the opulent and extensive county of York. Though this sounded strange in theory, yet if it was not shewn that in practice it was injurious to the rights of Englishmen,

Englishmen, their defence was good, who contended that the nation under its present system of Government had enjoyed much prosperity, and a large portion of happiness, and who argued against the inexpediency of a change from the chance of endangering the existence of the system, and of giving birth to evils of a much more serious nature than those which were experienced under it. Having thus stated his general principles upon the subject, he proceeded to enquire what was the end and the use of the House of Commons, and what was the present state of the representation of the people. When he considered what it ought to be, the questions naturally occurred, whether it had watched the conduct of Ministers? whether it had controuled the Executive Government in its operations? and, above all, whether in the exercise of its appropriate duty, it had been a faithful guardian of the public purse? When he considered what it was, suggestions of a different nature occurred. Instead of attention he was afraid there had been negligence; instead of enquiry there had been confidence; instead of controul there had been obedience, and instead of œconomy there had been profusion. But if it had thus failed in its duty, and if misfortunes, numerous and dreadful had been the consequence of the failure, whatever difference of opinion there might be respecting the time and mode of Reform, he was convinced there could be little or no objection to the measure considered abstractedly. How then did they stand? It was now five years since he first made a motion for a Reform in Parliament. At that time the country was described as being in a state of great prosperity, and the public were induced fondly to entertain the prospect of a prolongation of the term of peace. When he looked back, however, for thirty years; when he reflected on the wars in which it had been engaged, and when he reviewed the conduct of the different administrations during these wars; when, in particular, he considered the conduct of the American war, and the embarrassments into which the country was brought in consequence of the profuse expenditure which marked the administration of that period; when, moreover, he beheld a new æra arising in France, which threatened a great and momentous change in the political system of Europe, from all these considerations he was induced to bring forward a measure which, in his opinion, would tend to prevent those evils from again recurring which the nation had formerly had occasion to lament, and which might withstand the influence of new opinions. In a short time after we engaged in a war with France, our prosperity

prosperity was still stated to be undiminished. One campaign was to decide the contest, and the triumphant march to Paris was forever to check the insolence of the enemy. A noble opposite (Lord Hawkesbury, then Mr. Jenkinson), as a proof of our ability to carry on that war, and compel the enemy to yield to our conditions, argued with confidence on the extent of our imports and our exports, stated to what a height our commerce and our riches had increased, from the cessation of the American war to that productive period; and concluded the history of the rise and progress of our wealth and our resources, with a remarkable quotation by which he represented that England had risen

“ More glorious and more great than from no fall,

“ And trusts to fear no second fate.”

That argument he considered as deficient, because he did not advert to the causes which had produced that state of adversity from which we had just emerged; and he proposed at the time a measure by which the nation might have been guarded against a second humiliation. Whether the remedy would or would not have been effectual, he knew not; but this he knew, that the remedy was rejected, and that the country was again reduced to a state of calamity which made the effects of the American war, when compared with it, trifling, and our situation after it enviable. If, as the noble Lord contended, the prosperity of the country was matter of credit to the House of Commons, and if it was an argument against any change in the constitution of that assembly, the disasters which it has lately suffered, and the state of adversity to which it is now reduced, was to the full as good an argument either against its wisdom or its virtue, and in favour of a change of constitution. In stating the evils arising from universal suffrage, the noble Lord instanced the Government of France, under which that mode of election obtained, and the profuse expenditure consequent upon it. Here again Mr. Grey contended that he had the advantage of the noble Lord (Hawkesbury) in argument, for if extravagance and prodigality were fairly charged as an objection to the Constitution of the Government of France, would not the same objection apply with equal force to the profuse expenditure of public money in this country, the guardianship of which immediately belongs to the House of Commons? What, since that time, had been our situation? We had been reduced from a state of great and unparalleled prosperity, to a state, if not of despondency, at least of imminent danger and deep distress. Under the pressure of great

great and accumulated calamities, how had the House of Commons conducted itself? Had they shewn either vigilance of enquiry or independence of spirit? Had they investigated the origin of their misfortunes, or checked Ministers in their mad and ruinous career? Nay, the very reverse. In a war, remarkable only for misfortune, and distinguished on our part, solely by disgrace, they had suffered Ministers to go on from failure to failure, adding misconduct to misfortune, and madness to folly, without either investigation or enquiry. When attacks were made on the liberties and even the lives of the subject, the House of Commons did not interpose in behalf of freedom invaded, or innocence assaulted!—When the shores of our sister kingdom were laid open and defenceless to the fleets of an invading enemy, no enquiry was instituted into the cause of such gross and criminal neglect. When, by the mandate of the Privy Council, the Bank of England stopped payment, and a shock unequalled at any other time was given to public credit, the Minister was absolved upon his own excuses from any kind of censure. Having stated the effects of the system, it was needless to enter upon the mode of election;—but was it not notorious to every one, that men without holding any communion with the people, without either property or talents, merely by throwing themselves on the patronage of a great man got seats in Parliament, not for the purpose of consulting the good of the Commonwealth, and defending the rights of the people but for the purpose of promoting their own interest by betraying the truth reposed in them? As a remedy for these evils, he proposed to alter the system from which they flowed. Had he implicitly followed the dictates of his own private judgment, he should have adopted the mode of moving for a Committee to enquire into the nature and extent of the evil, and to have found out a remedy suitable and proportionate to it. Though that appeared to him to be the better mode of proceeding, when he proposed it before at different times, there was always one objection offered to it, which, on the present occasion, he was desirous of obviating. It was objected, “would you loosen the confidence of the people in the present House of Commons, by acknowledging the defects of its constitution, without proposing a remedy, by shewing how it might be constituted better?” To obviate this objection, he should state the outline of the plan which he conceived might remedy the evil of which he complained.

plained. His object then was to obtain for the people, a full, fair, and free representation in the House of Commons. He wished to alter no part of the constitution. It was his desire that it should remain as it had been established, composed of King, Lords and Commons. He did not wish to alter any thing which could remain in its present state consistently with the attainment of his object, which, as he before stated, was nothing more than a full, free, and fair representation of the people. He should propose therefore, that the same number of members should serve in Parliament, as at present. He should propose that the county representation should remain nearly upon the same footing. There were a few alterations, however, which he thought should take place. Instead of ninety-two county members, which there are at present, he thought that in future, in order to put an end to the inequalities that now exist, there should be one hundred and thirteen. For instance, instead of two for the county of York, as there was at present, he thought there should be two for each Riding; and so in other counties where the present representation is not proportionate to the extent of soil and population. The next alteration which he submitted to the House, referred to the mode of return. In order to put an end to compromises, &c. he should propose that each County or Riding should be divided into grand divisions, each of which should return one representative. The only other alteration which he had to propose in the county representation related to the qualification of electors. The right of election, instead of being confined to freeholders, as it now is, he thought should be extended to copyholders and leaseholders, who are bound to pay a certain annual rent a certain number of years. These were all the alterations which he had to propose in the county representation. The reform which he had to propose in the other branch of representation was of a much more extensive nature. He should propose that the remaining four hundred members should be returned by one description of persons, which was householders. He did not conceive that it would be difficult in the present, as it had been found easy in other instances, to ascertain the various proportions of population in the different counties. He did not propose, however, that these proportions should be accurately observed, but that they should be regulated by local circumstances, for instance, that great towns, such as the metropolis, should require a greater

greater number of electors to return a representative, than in places where the population was more scattered, otherwise the populous towns would obtain a too great local ascendancy. It was a part of his plan that the country should be divided into different divisions, and that, if possible, one person should not be permitted to vote for more than one member of Parliament. This scheme necessarily involved a great number of subordinary details, into which it was impossible for him to enter. In order to prevent expence, the poll ought to be taken through the whole kingdom at one time. This was the general outline of the plan which he had to propose. To state that it could obtain any thing like exactness at once, or that it was not liable to great difficulties in the execution, would be presumptuous and foolish in the extreme.—But he flattered himself it was not liable to any insuperable or fundamental objections. Upon this plan the land-owner would find his property suitably represented. The merchant would find support in the householders, and men of respectability and talents in the different professions would find a fair door open for getting into Parliament. The only persons whom he would wish to exclude from that House were men who were neither possessed of landed property, nor engaged in commercial enterprize, nor professors of any particular science; but men who, without property, without industry, and without talents, obtained seats in the House of Commons, by the influence of great men, for the purpose, as he said before, not of consulting for the good of the people, but of promoting their own interests. If this would be the situation of the electors, what would be the situation of the elected? They would hold their seats, not on the basis of universal suffrage, but of universal representation. The qualification would be so fixed, that no man, however mean, might not hope by honest industry and fair exertions, to obtain a seat in the House of Commons. And he begged to say that, when a man arrived at the respectable situation of being father, and consequently master of a family, having given hostages, as it were, to society, as an assurance of his interest in its welfare, was not unworthy of a share in the legislation of his country. In order to carry this plan into effect, he should move for leave to bring in a bill, which he should not propose to pass this session, but which should be brought in, lie over for discussion during the summer, and be decided upon in the course of next session. There was still another topic upon which he had not touched, namely, the duration

of Parliament. If this reform in the representation was adopted but not otherways, it occurred to him that the duration of Parliament should be limited to three years. Having thus stated the outline of the plan, there remained little more for him to trouble the House with. One objection had always been made to a motion for reform, when he had brought it forward, viz. that it was an improper time to agitate the question. So far from this appearing to him to be an objection on the present occasion, the time was one of the greatest inducements he had for bringing it forward. If he had had any doubts before upon this point, they would have been removed by the change which had taken place in the sentiments of many persons of respectability who formerly disapproved of the substance of the measure, and doubted much its propriety, and whose support he looked for on that evening. But there were considerations of much greater weight. In what situation were we placed? In prosperity we were told that there was no need for reform, and though the honourable Gentleman (Mr. Pitt) at one time contended for the necessity of the recurrence to the evils of the American war, he forgot his promise upon coming into power. At present we were in a state which, God knows, was far, very far, removed from prosperity. He would ask then, whether, in the present state of unexampled calamity, the country could go on in its present scale of expence without a check being given, to those who had the direction of public affairs? If the present House of Commons had brought us near the end of our resources, what could prevent our total ruin, but a change in the constitution of that House? When he looked abroad and surveyed the face of Europe, there was no object which to him appeared so desirable to an Englishman attached to the constitution of his country as a respectable and independent House of Commons, speaking the sentiments, and consulting for the interest of the nation at large. In France a revolution had taken place, the principles of which, at least in which it originated, whatever others might think of them, he should always defend. Stained it certainly had been by enormities, but Ministers themselves had confessed that order was restored, and that they had asked pardon of God and man. For his own part he entertained a sanguine hope that, in the end, it would tend to the diffusion of liberty and rational knowledge all over the world. With this revolution, then, how ought the people of this country to be governed? The
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Constitution ought to be restored to them, and when every abuse was reformed, the system would leave them nothing to regret. If you look to Ireland, you find the affairs in that country were every day becoming more alarming. God grant, said he, that a convulsion may not happen, but it can only be prevented by measures of reform and conciliation. If such an event should unfortunately take place in that country, would it not, he asked, be wise to prevent all ground for discontent in this, by removing in time every just cause of complaint? How is it possible that the House could possess the confidence of the people, after having suffered the country to incur disgrace after disgrace. After being brought to the verge, if not into the gulph of bankruptcy, without witnessing one effort on the part of its Representatives to wipe off the stains it has received, or to save it from approaching ruin? Was it believed that their debates in that House were conducted with a view to the public good? He admitted, for the sake of argument, that the side of the House with which he had the honour to act, were no more actuated than the other by motives of a pure disinterested nature, though while he made the admission, his conscience acquitted him of the crime. Was it not in every one's mouth that the object of the one party was to keep their places, and of the other to supplant them? And if such an opinion was entertained, how is it compatible with respect? These were the motives which induced him to submit to the House the motion which he should have the honour to propose. There was one other point, which was personal to himself, and upon which, perhaps, he ought not at all to trouble the House. As long as he held a seat in that House he should think himself bound to perform the duty he owed to his constituents; but he considered it as unnecessary any longer to expose himself to that obloquy which he had sustained in acting the part which he found himself called upon to take in the discussions of that House. Seeing calamity succeed calamity, and that every effort of his had hitherto been ineffectual in stemming the tide of misfortune, he despaired of a continuance of his efforts being more successful. Though he should always be present, therefore, in future, to vote for or against any measures by which the interests of his constituents might be affected, after this night he should not think proper to trouble the House.—He concluded with moving for leave to bring in a Bill to amend the Representation of the People in the House of Commons.

Mr. Erskine.—I rise to second the motion of my honourable Friend; and, though I might content myself with saying that I do so, resting upon the reasons and principles which he has

so ably detailed, and which have always been mine also; yet I cannot at this awful and momentous crisis, with propriety pursue that course. The principles upon which we maintain the cause of the people of England, and indeed the universal liberties of mankind, have been so frequently and scandalously misrepresented, that I owe it to my country and to myself to state distinctly the motives of my conduct. I will do it with firmness, and with a most fixed determination to follow up by my actions all that I shall profess.

There are three questions for consideration arising out of the motion which has been made:—First, Whether the House of Commons, in its present frame and constitution, fulfils the ends of its office in the British Government, so as to render any change in it inexpedient? Secondly, Whether, supposing a reform in Parliament to be necessary, the specific proposition submitted to the House appears to be salutary, practicable, and adapted to cure the evils complained of so as to entitle it to the ulterior consideration of the House in the form of a Bill to be brought before us? Thirdly, Whether, supposing a reform of Parliament to be expedient, and the proposition made by the motion, to be worthy of consideration, the present moment is seasonable for entertaining it?

I will offer what I have to say on each of these points in a very few words. In examining whether the present Constitution of the House fulfils its office in the Government, it is necessary to reflect what the office and character of the House of Commons really is in genuine theory, and in original practice. Its office is to balance the other branches of the Government, to watch with jealousy over the Executive Power, which, for the ends of good and active government, ought to be so strong and powerful, and to protect also the popular privileges against the encroachments of aristocratic influence and authority. That the House of Commons once fulfilled this office is certain. That all our liberties were secured and established by its constant exercise, is acknowledged. We recollect, with pride and triumph, the glorious exertions of our fathers within these walls. When tyranny was, century after century, combated and defeated, and the liberties of England, and of the world established. It may be asked, wherefore it is, that when the House of Commons, in its present frame, has so balanced the Crown, and so reared the British Government from infancy to maturity, it is now insufficient and unqualified still to preserve it? The answer is a plain one. Whilst the people of England were engaged in a struggle for their liberties against a powerful and arbitrary executive, acting by prerogative,

prerogative, and not by influence and corruption, it was enough that there was a House of Commons. Whoever sent the members, they had, when assembled, a common interest with the whole body of the nation. Common danger united them against the crown, and they had nothing to buy off individuals from the performance of their duty to the whole. When the crown could not buy this House it was driven to curb its privileges. This made the House as one man, and the Representatives of ten, or of ten thousand, had the same spirit and the same interests on all political objects. But human establishments are not formed for immortality; they must change insensibly with the insensible changes in human affairs, or they must perish by violence. The Revolution and its consequences in the erection of a mighty empire and a vast revenue, has totally changed the face of things. The Crown, instead of being balanced and curbed in this House, has, during the greatest part of this century, erected its standard within these walls, and thrown the privileges of the people into the scale of the prerogative to govern the nation at pleasure without any controul at all. So far, indeed, is the House of Commons from being a controul upon the Crown, that it is the great engine of its power. The Crown by appearing to act with the consent of the people through their Representatives, though in fact by its own influence, is enabled to carry on a system which the most absolute Prince in our history could not have fastened upon England for centuries past. Taking this proposition in the abstract, who shall now be found to question it? The most celebrated commentators upon our laws have been compelled to lament it publicly in their writings on the Constitution, and Mr. Justice Blackstone, with all his leanings to the Crown, has fairly confessed that such a system could not have been intended by our patriot ancestors, who had struggled to curb the prerogative, but by an unaccountable want of foresight, had established a principle more dangerous in its stead. So said the illustrious Lord Chatham, the virtuous Sir G. Savile, and the learned Lord Camden. These last great authorities were however reformers, and we know that the wisest men were sometimes seduced by their prejudices and opinions to push their observations beyond the mark. Let me look, therefore, for a witness without exception, a witness to whose competency the present Ministers can take no exception, and who, as he abhorred reform, must be supposed to have disclosed unwillingly the disgraces of Parliament. Hear his opinion upon the office of Parliament, and the shameful departure from it in practice, and then let every man look into the glass of his own conscience,

conscience, and let the House, if it can bear the picture, say, whether it be like us at this hour.

Whatever alterations time and the necessary accommodation of business may have introduced, this character can never be sustained, unless the House of Commons shall be made to bear some stamp of the actual disposition of the people at large. It would (among public misfortunes) be an evil more natural and tolerable, that the House of Commons should be infected with every epidemical phrensy of the people, as this would indicate some consanguinity, some sympathy of nature with their constituents, than that they should in all cases be wholly untouched by the opinions and feelings of the people out of doors. By this want of sympathy they would cease to be a House of Commons; for it is not the derivation of the power of that House from the people which makes it, in a distinct sense, their representative. For the King is the representative of the people; so are the Lords; and so are the Judges. For they all are trustees of the people, as well as the Commons; because no power is given for the sole sake of the holder: and, although Government certainly is an institution of Divine authority, yet its forms, and the persons who administer it, all originate from the people.

A popular origin cannot, therefore, be the characteristic distinction of a popular representative, which belongs equally to all parts of Government, and in all forms. The virtue, spirit, and essence of a House of Commons consists in its being the express image of the feelings of the nation. It was not instituted to be a controul *upon* the people, as of late it has been taught, by a doctrine of the most pernicious tendency, but as a controul *for* the people. Other institutions have been formed for the purpose of checking popular excesses; and they are, I apprehend, fully adequate to their object. If not, they ought to be made so. But the House of Commons, as it was never intended for the support of peace and subordination, is miserably appointed for that service; having no stronger weapon than its mace, and no better officer than its Serjeant at Arms, which it can command of its own proper authority. A vigilant and jealous eye over executory and judicial magistracy; an anxious care of public money; an openness, approaching towards facility, to public complaint:—these seem to be the true characteristics of a House of Commons. But an addressing House of Commons, and a petitioning nation; a House of Commons full of confidence, when the nation is plunged in despair; in the utmost harmony with Ministers, whom the people regard with the utmost abhorrence; who vote thanks, when the public opinion calls upon them for impeachments; who are eager to grant, when the general voice demands reckoning and account; who, in all disputes between the people and Administration, presume against the people; who punish their disorders, but refuse even to enquire into the provocations to them:—This is an unnatural, a monstrous state of things in this Constitution †.

Sir, this is in plain English the degraded, disgraceful state of this Assembly at this moment. There was a time, and it

† Mr. Burke's Pamphlet.

has undergone no improvement since, when the honourable Gentleman admitted this to be the truth. He admitted during the American war what he denies to maintain his own war. Does any man now doubt that the Constitution of this House was the cause of war with America, of the dismemberment of the empire which followed it, and of all the portentous consequences which have since crowded in its train. It has been often said, that the American war was at first the war of the people. No doubt it was, as every act of Government will be popular which does not proceed merely from the crown, but begins with the general sanction of the people's representatives. The crown secures all the men of influence, property, and consideration in Parliament; and they carry the people with them until they are brought at last to their senses by calamity and impending ruin. My proposition, therefore, is, that with the management of the mighty revenue in the hands of the Crown, and taking into consideration the manner in which the members of the House are elected, the House of Commons has totally lost its original office and character as a balance against the crown. The spirit which the right honourable Gentleman himself raised on that subject began to shew itself again a few years ago—and my hon. Friend and I thinking then, as we think still, that the only mode of giving that spirit a safe direction, and preserving the tranquillity of the nation and the world, was to give to Englishmen the blessings of their own government as the surest antidote against visionary theories which constantly rise out of the heat of all revolutionary movements. He therefore proposed, and I seconded, a motion for the Reform of Parliament. We did so on the 30th day of March, 1793. It was rejected by a vast majority, and all who countenanced the cause of reform were stigmatised and oppressed. The spirit of our criminal laws was charged to scourge them—and instead of lenity and concession, a general system of coercion was adopted, and the war, as part of that system, was undertaken to coerce France. The object of Ministers was, it seems, to maintain the subordination of the laws, to uphold public credit, and to maintain, as they styled it, the regular system of things. What has been the consequence? In the pursuit of this new mode of supporting monarchical establishments, they have absolutely changed, and are hourly changing, into Republican establishment the whole face of the earth; and in support of public credit they have broke

the

+ this paradoxical nonsense has been given in
in his pamphlet - how comes it to be so common
with those who are so great at logic &c. &c. &c.
as to call it a contradiction

the Bank; and in pursuit of public order, and in maintenance of what they call the constitution, they are driving Ireland, as America was formerly driven, to seek for emancipation in the arms of France--and if the present system be pursued longer, I maintain that what Ireland is at this moment, England will shortly be. All this portentous scene is chargeable on the last Parliament. No Minister of the Crown could have accomplished the ruin of the country without a compliant and corruptly devoted insatuated House of Commons. I maintain that if upon the day that our former motion for a reform was rejected, which was about the beginning of the career of his Majesty's Ministers; I maintain that if the most arbitrary and rapacious tyrant that ever afflicted mankind by his ambition, had invaded and conquered England, he could not consistently with common policy or prudence, in the disposition of what he had subjugated and appropriated, have leant so heavily upon all the springs of national industry, or so dried up the resources of posterity for ages to come, as the late Parliament has done under the title of guardians of our prosperity. I maintain that Gengis Khan would in wisdom have restrained from raising 200 millions sterling upon this conquered island in the space of four years; and I maintain that he could not have been so besotted as to have stirred up the conquered to revolt against his authority by arbitrary laws, by public bankruptcy, and a total proscription of that character of freedom which had for ages belonged to a people; and I maintain, lastly, that I believe the country would have died to a man rather than have submitted to what they are now sinking under, amidst that stupefaction and prostration of strength and energy which the baseness of corruption never failed to produce in the declines of nations, from the beginning of the world. But let such governments know that in some new form or other, the original rights of mankind will surely be re-assumed, and the monuments of tyranny and injustice be overthrown! The next matter is, whether the plan proposed in the outline by my honourable Friend, is worthy of further examination by the House? The question to day, is not whether it shall be adopted, but whether it shall be received for adoption or rejection?—The first thing to be considered is, whether it threatens the stability of the Government, when it comes spontaneously from the Government itself as an act of grace and wisdom? The representation of land will

*In Supplementary rank was meant for
the Government and the House of Commons
to explain when in their resolution*

will continue, only that it will be more widely diffused and extend itself more equally; no good reason can be now assigned for the exclusion of copyholders, their estates only differ from freeholds in the form of conveyance, and the privileges of Lords, merely as privileges of property unconnected with authenticity; leaseholders of a certain value and for a certain term, which amounts to property, are in the same situation; with regard to inhabitants, householders, paying scot and lot, taking them through all their gradations of rank and property, how is a people better to be described? Are the balances of the great likely to be shaken by the representatives of all the lands, and the inhabitants of all the houses in England, connected as they are by a million of intersecting interests with the public credit and stability of the government? Is it meant that all the householders of England are to be governed against their will, and that the English Constitution is to be protruded upon them by force? If then the balances of the Government will not be shaken, others assert that such a Parliament will not be better or different from the present. I close with these who say so, and if I were sure of it, I would still be for the change; as a Government with the confidence of the people is better than no Government at all. What is the vice and danger of the time, as it is stated, by those who rule at this moment? Is it not a contempt of the authorities of Government, and a spirit of disaffection to the Parliament of the kingdom?—What cure for such an evil can be suggested by the wit or wisdom of man, so efficacious as to make the Parliament emanate from the people; to make it the creature of their own creation? Who is to raise sedition against such a Government? As we had lately a national conspiracy without conspirators, we are now to look for rebellion without rebels! There is one part of the country in which I must feel a very lively interest, and of which my honourable Friend said nothing. I will venture to say that there is no place to which the extension of the principle of the plan would be received with more kindness, or produce a more grateful affection, to the Constitution, than in Scotland. The last point of all, and certainly the most momentous. Is the proposition seasonable, supposing it to be just?—My opinion is, that it is singularly and critically seasonable. The nation stands at present in a most perilous predicament, and Government is driven to call upon the people for greater exertions than at any former times.

Burthens, which in speculation appeared too impracticable, are to be carried into practical effect. This must be either done by coercion or by affection, and this is the moment for the choice. When you are the voluntary givers you can command the limits of what you give, and fix the qualifications of the gift. But if discontent arises, and it is brought forward as a demand, you are disrobed of all choice or deliberation. I declare solemnly that I think there is no alternative between a reform by which the nation may be made happy, and a revolution which will involve it in blood and ruin. I think I have, from the accidents of my life, as great opportunities as any man of judging of the probable effect of this lenient proceedings. I believe it would give general satisfaction; that it would unite all who are divided, and create a general spirit to bear up against the calamities which press upon us.

The *Chancellor of the Exchequer* spoke nearly as follows.—Feeling Sir, as I do the danger with which the present proposition is attended, upon the grounds upon which it has been supported, and in the circumstances in which it has been brought forward, I am very desirous, as early as possible in the debate, to state the reasons by which I am determined to give it my most decided opposition. The hon. Gentleman who introduced the motion, began with disclaiming very distinctly, and, as far he went, very satisfactorily, all those abstract principles of imprescriptible right, all those doctrines of the Rights of Man, on which those without doors, who are most eager in their professions of attachment to the cause which he now supports, rest the propriety of their demand, and upon which alone they would be contented with any species of Parliamentary Reform. The right hon. Gentleman denies the truth of that principle that prescribes any particular form of Government, as that which is essential to freedom; or that universal suffrage is necessary to civil liberty; or, that it even must depend upon that light which the revolution of France has let in upon the world, and from which, however, he derives hopes of so much advantage to the general happiness of mankind. But, in disclaiming these views of the question, and in placing it upon the footing of the practical benefit it was calculated to produce, the honourable Gentleman did not state all the considerations by which the conduct of a wise statesman was to be regulated, and the judgment of an upright Senator to be guided.

guided. The question is not merely, whether some alteration might or might not be attended with advantage; but it is the degree of advantage which that alteration is likely to effect in the shape in which it is introduced; the mischief which may be occasioned from not adopting the measure, and the chance, on the other hand, of producing by the alteration an effect upon those to whom you give way, very different from that which had induced you to hazard the experiment. These are the considerations which the subject ought to embrace, and the views upon which impartial men must decide. Before we adopt the conclusions of the right honourable Gentleman, we have a right, it is even imposed upon us as a duty, to take into our view as a leading object, what probability there is by encouraging the particular mode of attaining that union, or of effecting that separation of the friends of moderate reform, and the determined enemies to the Constitution, which they conceive it calculated to produce; we must consider the danger of introducing an evil of a much greater magnitude than that we are now desirous to repair; and how far it is prudent to give an opening for those principles which aim at nothing less than the total annihilation of the Constitution. The honourable and learned Gentleman who seconded the motion, had said, that those who formerly supported Parliamentary Reform, had sown the seeds of that eagerness for Parliamentary Reform, which was now displayed, and of the principles on which it was now pressed; he thinks that those who have ever supported the cause of Parliamentary Reform upon grounds of practical advantage, must not oppose those who have nothing in common with them, but the name of Reform, make that the cover for objects widely different, and support that pretence which they assume upon principles diametrically opposite to those upon which those who were friendly to the cause of reform ever proceeded. Will the honourable Gentleman who made, or the learned Gentleman who seconded the motion, say that those men who contend, as an indispensable point, for universal suffrage; that those who hold doctrines which go to the extinction of every branch of the Constitution, because they think it convenient to avail themselves of the pretence of Parliamentary Reform, as the first step towards the attainment of their own views, and as facilitating their progress; that those who, though they condescended to take advantage of the co-operation of those who support the cause of reform in this House, yet

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have never applied to Parliament, and who would not even receive as a boon; what they contend for as a right; can it seriously be said, that such men as these have embarked in the cause, or have proceeded on the principles of those, who upon far different grounds, and for far different objects, have moved this important question? Will they say, that those men have adopted the principles or followed the course, of those who formerly have agitated the cause of reform, who have avowedly borrowed their political creed from the doctrines of the Rights of Man, from the writings of Thomas Paine, from the monstrous and detestable system of the French Jacobins and affiliated societies, from that proud, shallow, and presumptuous philosophy, which pretending to communicate new lights to mankind, has carried theoretical absurdity higher than the wild imaginations of the most extravagant visionaries ever conceived, and carried practical evil to an extent which no age or history has equalled? Will it be said that those men pursued only that practical advantage, which a reform upon principles consonant to the British Constitution was calculated to afford, who saw without emotion the detestable theories of the Jacobins developed in the destructive ravage which marked their progress, and their practical effects in the bloody tragedies which were acted on the theatre of France, and who still adhered to their system of indefeasible right, when they saw such overwhelming proofs of its theoretical falsehood, and of its baleful tendency? Will it be believed that those men are actuated by principles consonant to the spirit of the British Constitution, who, with the exception of the pretence of Parliamentary Reform, adopted all the forms of French political systems, who followed them through all their consequences, who looked upon the ravage which they spread through all laws, religion, and property, without shrinking from their practical effect, and who deemed the horrors with which it was attended, as the triumphs of their system? Can we believe, that men who remained unmoved by the dismal example which their principles had produced, whose pretensions rose and fell with the success or the decline of Jacobinism in every part of the world, were ever actuated by a similarity of motives and of objects, with those who prosecuted the cause of reform as a practical advantage, and maintained it upon constitutional views? The utmost point of difference, indeed, that ever subsisted between those who supported, and those who opposed the question of reform,
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previous to the French Revolution, which forms a new æra in politics, and in the history of the World, was union and concert in comparison with the views of those who maintained that question upon grounds of expediency, and those who assert it as a matter of right. The question then was between those who contended, whether the means proposed were calculated to infuse new vigour into the Constitution; the object with those who affect a Parliamentary Reform upon French principles, is the shortest way to compass its utter destruction.— From the period when the new and alarming æra of the French Revolution broke in upon the world, and the doctrines which it ushered into light laid hold of the minds of men, I found that the grounds upon which the question rested were essentially and fundamentally altered. Whatever may have been my former opinion, am I to be told that I am inconsistent if I feel that it is better to forego the advantage which any alteration may be calculated to produce, rather than afford an inlet to principles with which no compromise can be made, rather than hazard the utter annihilation of a system under which this country has flourished in its prosperity, by which it has been supported in its adversity, and by the energy and vigour of which it has been enabled to recover from the difficulties and distresses with which it has had to contend. In the warmth of argument upon this subject, the honourable and learned Gentleman has conceived himself at liberty to assume a proposition, which was not only unsupported by reasoning, but even contradicted by his own statements; the learned gentleman assumed that it was necessary to adopt the moderate Reform proposed, in order to separate those whom such a plan would satisfy from those who would be satisfied with none; but who, I contend, by means of this, would only labour to attain the complete object of their wishes in the annihilation of the Constitution. Those men who treat Parliament as an usurpation, and Monarchy as an invasion of the Rights of Man, would not receive a Reform which was not the recognition of their right, and which they would consider as vitiated if conveyed in any other shape. Though such men had availed themselves of the aid of those who supported Parliamentary Reform on other grounds, would they be contented with this species of Reform as an ultimate object? But do the honourable and learned Gentleman mean to assume that those who are the friends of moderate Reform, and I know not how such a wish has been expressed at all, must remain confounded with those whom no Reform will satisfy, unless some measure like the present is adopted? Where has such a wish for moderate Reform been expressed? If those
who

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who are even thought to entertain sentiment, favourable to that
cause have cherished them in silence, if they have obtained
from passing them at a moment when they would have served
only to promote the views of those who wished to annihilate,
not to reform, is it to be apprehended that any ill effects will
ensue, unless you adopt some expedient to distinguish the mo-
derate Reformer from the desperate foe? This, however, is
the main argument of the learned Gentleman, which he has
put into a thousand different shapes. I do not believe, how-
ever, that the temper of moderate Reformers will lead them to
make common cause with the irreconcilable enemies of the
Constitution. If there are really many who may be ranked as
moderate Reformers, it is at least probable that they feel the
force of the danger which I have stated, that they think it
wiser to check their wishes than to risk the inlet of Jacobin
principles, and the imprudence of affording to the enemies of
the Constitution the means of accomplishing its destruction.
Has there been, however, any decisive manifestation of their
desires, or is there reason to believe, that disappointed in their
wishes, they will be immediately driven beyond the bounds of
duty to the Constitution? If there is no security that those
whose views have already pointed beyond Reform will be re-
called to better sentiments, if there are even certain grounds to
believe that they will merely employ any reform that may be
introduced as a step towards realizing their own system, upon
what pretence can the present measure be held out as calculat-
ed to reconcile those men to the Constitution? From the con-
duct of Gentlemen on the other side, it is obvious that they do
not conceive any decisive manifestation of the wishes of the
People for a moderate Reform being now introduced to have
taken place. My reason for such an opinion is this, we have
seen that the Gentlemen in Opposition have not been deficient
in their efforts to procure every expression of the public con-
currence in the objects for which they have contended. From
their own account these efforts have not been unsuccessful;
but supposing that no efforts of theirs had been employed, and
that to the spontaneous impulse of the people themselves are to
be ascribed the Petitions which have been voted in different
quarters, to a degree indeed, in their opinion, to decide the
sense of the country to be in favour of an immediate peace, and
the removal of Ministers; it follows, that those who have pre-
sented such Petitions, have not felt, or the exertions of Opposi-
tion have not been able to excite, any expression of that opinion
they have so often urged, that no change of men, without a
change of system, would lead to any permanent good. It does
not

not appear then, that there is any call upon the House to adopt a measure which, so far from being necessary to satisfy men friendly to moderate Reform, they have not, in any shape, expressed a wish to obtain. Before the practical expediency of this measure then comes to be discussed, the practical necessity of such a measure must be established. In this proof, however, the honourable and learned Gentlemen have failed, I need not, therefore, go into the state of the country to refute the statements of the honourable Gentlemen. Indeed, I must observe that every thing urged upon this topic, was nothing more than assertion. The calamities and difficulties under which the country labours, the war with France, and inroads upon the Constitution, the profusion of public expenditure, were the topics upon which they insisted, and which they said would have been avoided if Parliamentary Reform had formerly been adopted. I boldly contend, however, that in the origin of the war, in the efforts to an unparalleled extent, which the novelty of the contest, and the nature of the enemy, forced us to exert; that in what they call inroads, and which we contend were necessary bulwarks for the defence of the Constitution, the feelings of the People went uniformly along with the conduct of Parliament. I will venture to assert, without the fear of contradiction, that in no time when the tide of prosperity began to turn in favour of this country, when the nation began to recover from the struggles and from the burthens of the American War, when year after year, the sources of public wealth and individual happiness were increasing and extending, had the functions of Parliament been more congenial to the feelings of the People, than in the painful yet necessary struggles to which we were obliged to submit in the present contest. That the nation has suffered, during the progress of the war, many and serious calamities, I do not dispute; calamities, however, much less severe in their effects than those which have been undergone by countries acting upon a different system. It has indeed been urged, and with no ordinary degree of perseverance, that the voice of the nation is against the proceedings of Government; that, however, is more a matter of opinion than of fact, and every man will naturally judge of the credit that ought to attach to such an assertion, from the sentiments which are expressed in the circle of his own acquaintance, and from his personal enquiries on the subject. But I will undertake to say, that at the present moment, amidst all the difficulties and embarrassments, unavoidably occasioned by the vigorous prosecution of hostilities, the system pursued by Parliament in support of the measures of Government, is the system

system of the People; and Parliament at no period possessed in a more ample degree the confidence of the country than it does now. [*A partial laugh, and a cry of Hear, hear!*]

The honourable Gentleman may be disposed to controvert this opinion, but I am sure he cannot maintain the contrary with more sincerity or more perfect conviction, than I advance what I now assert. The right honourable Gentleman, the House will recollect, was accustomed to assert last session of Parliament with equal boldness and vehemence as now, that the sense of the country was against the system of Ministers. Good God! Where can the learned Gentleman have lived? In what remote corner of the country can he have passed his time? What great public question can he state, upon which the public have not evinced a great degree of interest, as great as that shewn upon any former occasion? On the contrary, if ever there was a period which we should select, as the one in which the attention of the public was the most turned to public affairs, it was precisely that period in which the learned Gentleman has described the public to have lost all interest in the deliberations of Parliament.

I know it is maintained that Parliament does not represent the great body of the nation, and that the result of general elections gives no striking character or impressive feature of the sentiments of the people, but I desire it may also be recollected, whether there are not many leading instances, and particular circumstances attendant on general elections, that go strongly to express the opinion entertained by the constituent body, and taking up the consideration in that point of view, I do insist, and am convinced the position cannot be objected to, that the approbation given by those who had been members of the last Parliament, to the commencement and prosecution of the war were strong and powerful recommendations in their favour at the late general elections. I will for a moment, pursuing this argument, request the House to take the parliamentary representation as it has been stated and recommended by the honourable Gentleman. I will desire the honourable Gentleman himself to look for an instant, to his own statement of the proposed additional representation of the counties, and then candidly decide, whether he can argue that the sense of the people was not in a great degree to be collected at general elections. It is submitted in that statement, to extend the number of county members from 92 to 113; the augmentation, therefore, did not consist of many; and does the honourable Gentleman intend to except the 92 former members by a general proscription, or will he pretend
to

to say, that the system of counties, as it stands at present in point of representation, goes for nothing? Certainly he cannot undertake to advance such an argument, and so evidently inconsistent with his own plan of reform. If, therefore, the 113 members proposed by the honourable Gentleman to represent the counties, would express the true sense of the people, it cannot be denied on the same grounds, that the 92 who were elected by their constituents, were in a very considerable proportion the organs of the public opinion. The arguments therefore adduced by the honourable Gentleman, go against his own declaration, that the sense of the people was not the sense of Parliament; and that sense had been fully manifested in favour of the war at the general elections. Since, therefore, I recollect the former declaration of the honourable Gentleman at the end of the last session of Parliament, that Parliament did not possess the confidence of the people, am I to be discouraged now, after the general election, from saying that they actually did enjoy that confidence? but that is not the only statement which I can make in justification of this assertion. I will appeal to the proceedings in great and populous cities, as well as in the city of London, in which the opinions of Gentlemen on the other side of the House, with respect to Parliament not possessing the confidence of the people, were as strongly refuted, on a fair poll, by a vast majority of the electors, as by the elections for the counties to which he has referred. It consequently appears that the honourable Gentleman has not specific ground to proceed on; and that he has totally failed in the foundation of his assertion, that Parliament does not enjoy the public confidence. The learned Gentleman has in the fanciful flights of his eloquence, pushed his objects farther than his honourable friend; for he has not only said, that Parliament has lost the confidence of the people, but that the proceedings of Parliament has no effect whatever on the public mind.

The learned Gentleman, however, wished to unite two classes of persons very opposite in their pursuits. He desires to reconcile those, who by the very nature of their principles are altogether irreconcilable, those whose political doctrines are known to be inimical to legal Government; and those who are distinguished by the moderation of their tenets. With respect to the moderates, it could not be too minutely attended to by the House, that they propose no plan of reform whatever; that they prefer no complaints; that they set out with no petition on that subject; and is it proper or reason-

ble, that the House should spontaneously give what had not been even demanded? With regard to the other persons alluded to by the learned Gentleman, the House, by agreeing to what has been urged in their favour, would give them not merely what they claim, but what they demand as an absolute right, and what is in reality the first step to the accomplishment of their real views. That the present moment should be a time for the measure of reform, appears rather inconsistent, when it is admitted by the learned Gentleman himself, that radical discontent is prevalent in the country, and when it is undeniable, that the men who talk of liberty aim merely at licentiousness, and set up the name of reform as a disguise to mask their revolutionary projects, and as the first step to their acknowledged system of innovation. Concessions to such men, at such a time, would be impolitic, would be fatal, would be absurd. The House also, by agreeing to the arguments of the learned Gentleman, would grant what could not be of any use to one set of men, and what would be productive of great mischief to the other description. Such concessions I will maintain are not warranted by the sound maxims of philosophy, nor to be measured by the numerous examples drawn from the history of the world. The honourable Gentleman (Mr. Grey) has talked highly of the blessings which are to result to mankind from the establishment of French liberty; and because new lights have appeared to set off the doctrine of freedom, this House is therefore to alter their principles of Government, and to accommodate themselves to the new order of things. The system of French liberty is represented as a new light diffusing itself over all the world, and spreading in every region happiness and improvement. Good God! is the House to be told after the benefits which have been derived from the revolution in this country, that other and more essential benefits are to be added by adopting the principles of the French revolution? From such lights, however, I hope we shall ever protect this constitution, as against principles inconsistent with any Government. If we are to be relieved from any evils under which we may at present labour, by means of this new light, I for one, beg leave to enter my solemn protest against the idea. The doctrines upon which it is founded, are, as I have already said, false, shallow, and presumptuous, more absurd than the most pestilent theories that were ever engendered by the disordered imagination of man; more hostile to the real interests of mankind, to national prosperity, to individual happiness, to intellectual and moral improvement, than any tyranny by which the human species was ever afflicted.

And,

And, for this new luminary, shall we abandon the polar star of the British Constitution, by which we have been led to happiness and glory, by which the country has supported every danger which it has been called upon to encounter, and risen superior to every difficulty by which it has been assailed? But, independent of these general grounds, on which I have opposed this motion, I have no difficulty in stating that the particular measure appears liable to so many objections, that in no circumstances could I have given it my assent. Indeed I could as little concur in the plan of the honourable Gentleman as in a proposal for universal suffrage: how near it approaches to that system I shall not now discuss. The honourable Gentleman, on a former occasion, has said, that he would rather have universal suffrage than no reform. The learned Gentleman, however, disclaims universal suffrage, when asserted as a matter of right. Certainly, indeed, some people have reason to complain of the learned Gentleman who, in supporting a plan of reform on grounds of practical advantage, refuses that universal suffrage to which he has no objection on practical grounds, merely because it is asked as a matter of right. He will, however, find it difficult to reconcile that practical expedience with the new light of general freedom which has so unexpectedly broken in upon the world. The proposition, however, is neither more nor less than, with the exception of one fifth, to abolish the whole system of the representation of this country, as it has been formed by charter or by parliamentary arrangement, as it has been moulded by time and experience, as it has been blended with our manners and customs, without regard to the rights or compensations, or to the general effect of modifications. All these are to be swept away, and a numerical scale of representation to be substituted in its place; the country is to be divided into districts, and every household, paying taxes, is to vote; thus a system would be introduced little short of universal suffrage. On what experience, on what practice is this gigantic scale of numerical representation to be introduced? In former plans the variety of the modes of representation was admitted to be proof how much better time and circumstances may mould and regulate representation than any institutions founded on reasonings *a priori*, and how necessary it was to give way to the effects of such experience. It is not the harsh uniformity of principles, each pushed to its extreme, but the general complexion arising out of the various shades which forms the harmony of the representation, and the practical excellence of the Constitution, capable of improving itself consistently with its fundamental principles. Who will say that

this beautiful variety may not have contributed to the advantage of the whole? That system was practical, and experience has confirmed the excellence of it, but the present plan goes the whole length of destroying all the existing representation, with the exception only of the county Members (why they alone are excepted I am at a loss to conceive), and bringing all to one system. Are the Gentlemen who propose this system aware of the benefits resulting from a varied state of representation; and are they ready at once to resign them?

It never was contended that the inequality of the representation has been attended with any practical disadvantage, that the interest of Yorkshire was neglected because it sent only two Members to Parliament, or that Birmingham and Manchester experienced any ill consequences from having no representatives. How does it appear that universal suffrage is better than if the right to vote be founded on numerical, or even alphabetical arrangement? There is no practice, certainly no recognized practice, for its basis. The experiment proposed is new, extensive, overturning all the ancient system, and substituting something in its stead without any theoretical advantage, or any practical recommendation. In the mixed representation which now subsists, the scot and lot elections are those which have been chiefly objected to, and the honourable Gentleman opposite to me formerly agreed with me in opinion, that burghage tenures and small corporations were even less exceptionable than open burghs with small qualifications. Yet this extension of small qualifications, from which it has been a general complaint, that much confusion, debauchery, and abuse at elections arose, form the principal feature in the honourable Gentleman's plan. Upon these grounds, therefore, looking seriously at the situation of the country, examining facts with attention, unless we would seal our own dishonour, unless we would belie the testimony of our constituents, we must dissent from, on the reasons on which the necessity of this proposition is founded. We ought to resist the specific plan which the honourable Gentleman has offered, unless we would renounce the tried system of our representation, for a plan at once highly exceptionable in theory, and totally unsupported by experience.

Sir *Francis Burdett* spoke to the following effect: I want to preserve this country from ruin; I want to protect the rights and liberties of the people, but not the undue influence of a junto of nobility and placemen. I shall therefore speak my sentiments candidly and unequivocally. I shall also speak them boldly, for the times call for bold and unequivocal language.

guage. I do not look for the applause of this House, nor do I expect to be supported by any clamour out of it. I shall speak on behalf of the people of this country, whose interest it is my object to promote. I should be young indeed in my contemplation of the human character if I expect that such behaviour could lead to favour. It is not my intention to follow the Chancellor of the Exchequer through all his turnings and windings, that would be an Herculean labour, to which I do not pretend to be equal. I state, therefore, in the first place, that endeavours to encroach upon the liberties of the people characterized an early part of the present reign, and that, of late years, efforts directed to that end have been much too successful, and that we are going rapidly on towards an arbitrary Government. Good God! when shall we lay aside that humiliating confidence which has enabled the Minister to bring us into so deplorable a condition, and which confidence this Minister has this day laid claim to, by the advancing of principles that lead directly to slavery? Have you any thing before you to justify you in your confidence in that Minister, or in your continuance of support to his measures? You have supported him in this war; a war, which let the Minister say what he pleases of it, is nothing but a second edition of the American war. It is another bold and daring, but unsuccessful attempt to stifle the flame of liberty. The Minister attempted to restore Monarchy in France; he has procured its utter annihilation there. He endeavoured to destroy the principles of the French Republic; he has established them on a basis never to be shaken. Now, as to the motion which is before you, I will say it has my concurrence, as a measure that is highly necessary, and one that should be put into a course of trial without delay. Had the people been freely and fairly represented in this House before this war commenced, I have no doubt but that the war would never have been undertaken. It is in vain for the Minister now to talk of preserving the bulwarks of our Constitution, he has himself destroyed them. It is in vain for him to deny the existence of abuses, for by his practice, and the practices of his predecessors, abuses are interwoven with, and become an integral part of our Constitution. Should any ask where these abuses of our ancient Constitution are to be found? I would answer, you may see them in the barracks that have been erected all over this country; you may find them in the laws that have been thrust down the throats of the people, by which they have been prohibited from saying what they think. You may find it in the practice of sending away the public money without the consent, or even knowledge of Par-

Parliament. All these things, I say, are abuses on our ancient Constitution, and which never could have crept into it but for the corruption of the Executive Government. That corruption, unless you have a reform in Parliament, will soon become the euthanasia of our Constitution. It has reduced us, with all the advantages of our soil and climate, to a state that no more resembles, in point of liberty, that of our ancestors, than if we were the inhabitants of a foreign land. Indeed, with all our boast of wealth, the mean and hard lot of poverty falls to the share of the mass of the people, and that comfort which ought to be the reward of honest labour, is seized by the griping hand of a rapacious Government. But all these things are drawing towards a conclusion, and that which was once a matter of choice, is now a matter of necessity; and the Chancellor of the Exchequer, although an enemy to liberty, has, by his conduct, contributed to Revolution. What was the cause of the Revolution in France? The progress of reason and philosophy? Alas! reason and philosophy can boast of no such influence over the conduct of mankind. That Revolution was caused by the extravagance, profligacy, and insolence of its Administration. The same causes are operating with us; and highly as I esteem the talents of a right honourable Gentleman (Mr. Fox), even he could do nothing substantial for the benefit of the people were he Minister to-morrow, without an entire change of system in our politics; nor even then, unless there is a full and free representation of the people. I hope, therefore, the people will not be content with any change of men or measures, without a full, fair, and free representation. Perhaps I may be told that Monarchy itself cannot be supported without corruption. If that be so, then I am, for one, a Republican! Liberty can never flourish where there is corruption in the Government! Liberty is, in my mind, the most valuable jewel in human life! 't is what I value more than life! Without it life itself is of no value; and with poverty is preferable to wealth without. I prefer hard liberty to servile pomp! I will, therefore, while I live, use every means in my power to obtain for the people their just rights. I warn them not to be the dupes of corruption! It is not Ministers that I wish to oppose, it is corruption that I wish to destroy! With respect to universal suffrage, that is a point which may be discussed hereafter. I need only add, that the present motion shall have my hearty support.

Mr.

Mr. *Robert Thornton* thought this a very improper and even dangerous time to set about a Reform in Parliament. He was in hopes that some years hence something of that kind might be attempted. He did not think that a time like this was the season in which Members of Parliament were likely to follow their own private interests, since they were all too much occupied with public business. He was therefore against the motion, as coming at an unseasonable time.

Sir *Richard Hill* said, he had been under a three-fold difficulty as to the business of that day: First, Whether he should come to the House at all. Secondly, Whether he should speak at all. Thirdly, Whether he should vote at all. Two of these obstacles had been surmounted, but he had still some doubts as to the third. If he divided at all, it would be for the motion. He did not often intrude himself on the House, and had always rather hear others, than himself. He should not have risen on the present occasion, but that he wished to avoid the charge of inconsistency, should he vote differently from what he did, the last time the same question was agitated. He then voted against the Reform, because he thought the prosperity of the country carried with it the best argument against making any alterations; therefore, in the short speech he then made, he quoted the well-known Italian sentence, *Stavo bene, volevo star meglio, sto qui*. In plain English, *I was well, would be better, took physic and died*.

The face of public affairs was now evidently changed for the worse, those who have been attempting the cure of the nation, had been so nearly following the system of Doctor Sanguado, that by different bleedings one after another, they have so weakened and debilitated the patient, that she can hardly stand on her legs. It has been said, this is not a time to make experiments. I am (said Sir Richard) quite of a contrary opinion, for if I saw a friend at the last gasp, I should say, "good " Doctor, can you think of nothing else, can you try no other " medicine to save the life of the patient?" For my own part, I think things are as bad with us now, as they were at the worst period of the American war, consequently there is as much need of a change of measures and systems. If we ask who brought us into this situation, the Gentlemen on the Treasury Bench will tell us, "that all our calamities are owing to a " desperate Republican Opposition." Ask those on the other side of the House, they will say, "that the country is drained and ruined by a weak and wicked Administration;" but if I may plainly deliver my own opinion, Administration and Opposition are the two millstones between which the Constitution is ground

ground to powder. As to the former being *weak*, they certainly are not; perhaps a more able set of men never acted in their places. As to their being *wicked*, he supposed they were no more so than their predecessors, they did not pretend to have much Religion, and he heartily wished they had more; a wish with which they ought not to be offended. He believed they were worthy men in Opposition, who acted from principle, and he should rejoice to see the virtues and talents of Gentlemen on both sides united to save the country, the present state of which was, in great measure, owing to the war; it was, therefore, a real satisfaction to himself, that he had always opposed the war, when he thought peace might be had, and that he had also opposed the sending of money out of the kingdom by way of loans to the Emperor; *Loans*, indeed, Sir Richard said, they ought not to be called, for he had uniformly thought they would never be repaid.

He should say no more on this subject of Reform, but that he heartily wished we might begin one individually, by each of us endeavouring to reform ourselves, and in so doing, we ought to look up to Him who was too little thought of in our debates and consultations; but without whom all our counsels would be vain.

Sir *William Geary* said, he was at heart a well wisher to a Reform in Parliament, but disapproved of the plan now proposed; because it appeared to be too nearly connected with the system of Universal Suffrage. He did not think this the very worst time to bring the question forward, but there were difficulties as to what plan the friends of Reform would agree to; he did not, however, despair of that difference being made up, and that at no very distant time, and then he should be happy to give it his support; he thought that something ought to be done to prevent the enormous expence which attended elections. He could not, however, under all the circumstances vote for the present motion.

Mr. *Milbank* said he could not give a silent vote upon this question. The best of human institutions were not free from defects. He thought that many evils had crept into our Constitution, and that we ought to provide a remedy for them as they appeared. This appeared evidently to him to be the case with the representation of the People. He wished for a Reform in that particular, as being the best means of destroying that implicit confidence in Ministers, which had led to so many evils in this country. He was therefore in favour of the motion.

Lord *Hawkebury* said he should give the Motion his decided negative. He thought the time at which it was brought forward

ward was peculiarly improper; but that was not his principal objection. He was a decided enemy to any Reform in that House, and although he was against any idea of a Reform in Parliament, he need not rest his objection upon that idea alone. He was furnished with objections to it from those who were its advocates. They all differed in their plans so much, that not any two of them agreed upon one plan. The reason for so much difference was obvious; the evil of which they complained had no existence. If it had there could be no difficulty about the remedy. If the evil was in the overgrowing influence of the landed interest, the remedy would be applied to that. If to open, or the close boroughs, the remedy would be apparent, but it belonged to neither, for no evil had any existence. He therefore did not wonder, that Gentlemen could not agree upon any plan of Reform. He was fortified in that opinion by the conduct of the right honourable Gentleman opposite to him (Mr. Fox) for although he had voted several times for a Reform generally, yet his name had never yet appeared to any specific plan of Parliamentary Reform. A man of his uncommon abilities would not have been so long at a loss for a plan if the evil had any real existence. He therefore must repeat, that the reason why no specific remedy had been agreed upon was, that no evil had been really felt. As to the quotation of the work of the celebrated author (Mr. Burke) by a learned Gentleman, he felt himself entitled to complain that the publication in question had been stated partially, for in that very pamphlet out of which the quotation was taken, there was contained a positive objection to a Parliamentary Reform. He must call on the House to look at the cause of the evil, if any was ever felt, in consequence of the determinations of that House. If it could be proved that the close boroughs were the cause of the evil, he would be content that some remedy should be attempted to be applied. But he denied the assertion. Could any Gentleman prove, that at any time the decisions of the House of Commons were not in unison with the opinions of the nation? He maintained positively that they could not in a single instance. He would take the result of the last General Election, and he would take that part of it which no man would deny was the most popular part of it. To take the counties, for instance, and populous towns, there it would be found that the returns of those who had supported the war were, in proportion, of four to one against those who had opposed it in the late Parliament. What purpose then was a Reform to answer? Unless it was to be contended that the House of Commons should not be in unison with People. He

admitted that the country might at times have too much trust in Ministers, or too much distrust in their opponents. But if there were such an evil, a Reform in Representation would not correct it. As to the close boroughs, he would say, there was no more reason to complain of them than of the popular places, unless it could be proved that they were the cause of any evil, which no one had ever yet done. There had been many wars in which this country had been engaged, that might not be just or necessary. Many that were just and necessary that were protracted longer than was wise or prudent, but none in which the House had persisted against the will of the People. The American War, was at its commencement a popular war in this country. It was a war in which the House of Commons and the people went hand in hand together. The opinion of the people changed in the course of that war, so did that of the House of Commons, and the reason why Administration was afterwards supported for some time was, that some dangerous riots happened in the metropolis, which made the House, out of a sense of common danger, rally round the Executive Government to support the state from impending ruin. This was a striking instance of Parliament acting in unison with the people. Upon these grounds he was justified in saying that a Parliamentary reform would not cure the evil of which Gentlemen complained, if indeed any evil existed, which he denied. The fault, if there was any, was in the people themselves. For these reasons he saw great impolicy in altering any part of the constitution upon plans of mere speculation. Besides, if a thing of this sort was to be commenced, he would ask the House where they were to conclude their labours? Speculative men might say that the county of Middlesex, because the metropolis was contained in it, and had one eighth of the population of the kingdom, and consequently contributed very much to defray the expence of Government, ought to have a much larger share of representation. Were Gentlemen aware where they were to stop, if such principles were admitted? But really there was no foundation for the complaints which had been exhibited against the present representation of the people. So far was the House of Commons at this moment from speaking any language but that of the people of this country, that they went hand in hand together. So far was the House of Commons from innovating upon the privilege of the people, that he would pledge himself to prove that the popular power was continually improving, and that the House of Commons was now more popular than ever it had been before this time. Let Gentlemen recollect the principle and provisions of Mr. Grenville's bill relative

to contested elections; let them recollect the number of those close boroughs that had been thrown open and have been made popular. Besides these, there were other points to which it was not quite regular to allude, but which, however, he might hint at, the very proceedings of the House were continually published, by which the people had the means of knowing what was passing daily, which must have great influence on the House, by the opportunities that were afforded to the people of forming their opinions from time to time. These were general objections which he had to the principle of a parliamentary reform. His objections were not less decided to the specific plan which was now proposed, if a specific plan it could be called. It went upon the principle of universal suffrage, or nearly so, to which he understood that but very few of that House would assent. It was a principle abandoned at the time of the French revolution, as had been stated by a very able writer, Mr. M'Intosh. Taking the whole of the case together, he saw the chance of danger so great, and the advantage none, that he could not possibly assent to the present motion. It would open a door to universal suffrage, as was apparent from the accounts which he had read of speeches delivered at the discussion of the subject; and he thought it might lead to the overthrow of the monarchy and the House of Commons together.

Mr. *Sheridan* said, he had listened with great attention to the speech of the noble Lord who had just sat down. A speech which was remarkable for its eloquence, and as remarkable for its steady opposition *in limine*, against all reform of all kinds, that it might as well be called a speech for a revolution as much as against reform. He should have commended it the more if it came from a quarter in which he could confide, and rest secure that the boldness of it would be followed up in the hour of attack; but when he reflected that it came from the same quarter as the sentiments that had been uttered against France, that we were to pursue a *bellum internecinum*, that we were engaged in the cause of law, of civil order, of humanity, of religion, and reflected on what part had been taken in the same quarter, and knew that those very persons who thus talked boldly and sturdily, would afterwards, in the hour of real peril, be ready to crawl upon their knees and lick the blood off the feet of these regicides, when he contrasted this blustering language with the real spirit of those who uttered it, he was sure that if these same persons should enter into a *bellum internecinum* with the reformers of England, they might

be made as humble with regard to them as they had shewn themselves towards the French. He therefore was not surprised to hear the noble Lord so bold in his speech against the reformers; but this assertion, that the Parliament is now more popular than ever, was going a little further than any man had ever done before. He liked the manner in which the noble Lord proved, as he called it, the truth of that assertion; he stated the merits of Mr. Grenville's bill. It was an excellent regulation with respect to contested elections. How was it excellent? by taking away altogether from the House of Commons the right of determining on the merits of the contested elections; by shewing that the House of Commons could not as men of honour, be trusted with the decision of such a matter as a contested election; that they had given in false verdicts upon that matter frequently, and therefore ought to have that power no longer; that therefore an act of Parliament was necessary to take away their power, because they had acted dishonourably; this was the noble Lord's proof that there was no necessity for a reform in Parliament; his next proof of the purity of Parliament, and of the popularity of its present proceedings, was also curious. Some close Boroughs, it seemed, had been thrown open, Cricklade and Shoreham, and one or two others, were thrown into the general mass of representation; and this was another proof that there was no necessity for a Parliamentary reform. What did this motion go to? Why, to make this, which in the opinion of the noble Lord, was an excellent measure, in these few instances, a general measure. These two or three little instances were excellent in the opinion of the noble Lord, a great acquisition to the people, but the making this general would be a great evil. The question was now boldly put, where did the people see their grievances? They saw them in the extension of the excise laws. They saw them in the stoppage that was put upon their speeches to each other. They saw them in the erection of barracks all over the kingdom. They saw them in the votes of the House of Commons, by which their money was squandered upon objects that was never defined. They saw them in the money that was sent away to the Continent without the consent, or even knowledge of Parliament. Put these grievances into one side of the scale, and the little acquisitions of Mr. Grenville's bill, and the throwing open of a few paltry Boroughs, into the other, and he believed the noble Lord himself, although by no means a bashful man in that House, would be ashamed to hold the balance. The noble Lord

Lord dwelt a great deal on what he considered as a very powerful argument, namely, that as there was a contrariety of opinion as to the plan of a Parliamentary reform, that must be considered as a proof that the evil did not exist, for that if it did, there would have been no difficulty about the remedy, that it must be clear. This reminded him of the adage, "When Doctors differ, &c."—If that was to be the answer, it would follow, that if doctors differ as to the remedy, the patient, although he may appear to be dying, must be taken to be in perfect health. He knew not where the noble Lord had studied his logic, but certain it was not from the College of Physicians. There was one part of the complaint which never occurred to the noble Lord. He touched upon the landed interest, he touched upon the interest of the Boroughs, and most logically concluded, that there was no complaint against either; but it never entered into his mind that the Minister would have too much interest with them all when assembled in the House of Commons. Here he was reminded by the words of a person whom it was hardly regular for him to quote, as a reverend prelate, who had said that the Parliament belongs to the Crown. If that be so, he would say that he would not debate the remedy whatever it might be, for he was ready to say that the House of Commons would be better in any hands than in the hands of the Crown. But the noble Lord had said, "Shew me that the close Boroughs have done more harm than any other places." He did not know what the noble Lord meant by "harm." He could shew him that the proprietors of these close Boroughs had acted on a principle which should be cut up by the roots, or this country would be undone. He would say that they had bought Boroughs, and afterwards voted away the money and the rights of the people, as if both had been their own absolute property.

That there had been a man in that House who had seven or eight seats in it; that he was connected with the Minister, and that, without one foot of land in Ireland, he was made an Irish Peer. He could shew him persons, who could not indeed buy men and sell them, because that was not yet to be done, but who bought and sold boroughs, and with them sold the dearest interests of the people. The noble Lord, in part of his speech, put the close boroughs out of the question; indeed he would have acted judiciously in never taking notice of them, for they could not be of any service to his argument. But it seemed that Ministers had met with support
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in the counties. He knew they had; and it was a thing to be much lamented, that men of large wealth should quit the nearest and the dearest connexions they had for the purpose of following the dictates of a profligate Minister; and, before any justice could be done to that part of the case, the noble Lord must have counted all the coronets that have been given away by the present Minister. Men who voted away all public principle for favours of this kind were the most profligate and contemptible characters in the kingdom. What if a county Member knows that his name is entered in the pocket-book of the Secretary of the Treasury as a person to be called to the other House, and votes any thing that is desired of him in order to obtain that distinction. He knew many of that description. These were called men of honour, but they were the reverse of it, they were enemies to the nation in which they lived. The pretended to vote for the cause of justice and humanity, and religion, when in point of fact they were only laughing at the public, and voting away their rights to serve their own ambition. That was a great reason why the people called for a Parliamentary Reform. It was to a conviction that most public men have nothing in view but their own personal advantage, to that was owing all the mischief that had lately happened to our service. It was upon that principle the sailors and the soldiers reasoned. The House would set them a better example by reforming Parliament, if they had a spark of honour in them.

With regard to the question, as it had been argued by the Chancellor of the Exchequer, nothing was said upon the present representation of the people. The noble Lord had fallen foul of all the doctrine which the Chancellor of the Exchequer had ever maintained upon reform, and he was sorry the Chancellor of the Exchequer had left the House; were he present, he most likely would have saved him a good deal of trouble in replying to many parts of the speech of the noble Lord.

Much had been said about throwing the country into confusion. The Minister and his advocates affected to dread the principle of the present measure, because it seemed to proceed upon the Rights of Man, and because they said they were principles which had been adopted on the French Revolution, and which principles led to so much horror. In this respect, he must deny that the horrors of the French Revolution

revolution were produced by the Rights of Man. There were bloody calamities befall France, after the French Revolution; nobody disputed it, but that these calamities were produced by these principles he disputed. There was not so much as an individual who was concerned either in writing or publishing any of these principles, that took part in any one of the massacres in that country; and here he must repeat what he had said on former occasions, that excess of conduct was the natural effect of all revolutions when men shook off their slavery. When men are under the necessity of recovering their liberty by force, they are naturally intemperate. Man was not born to have property in man, and if he persists in maintaining that he has, there is no wonder when he falls a victim to his own iniquity and presumption.—This ought to be a lesson to us. If the question was put to him, who were the real authors and abettors of these massacres, he should place certain despots in the front of his accusation.

It was impossible for any thing to be more unjust than the view which the Minister had thought fit to take of all reformers that night. He treated them all, and asked the public to look upon them all, as so many masked traitors. He denied the justice of that description of them. That there might be among them some men of mischievous intentions no man would dispute, and when was any great public measure proposed, in which some such characters would not mingle, but that they were considerable either in numbers or talents was what he did not believe. That he was no friend to such persons, but would, on the contrary, endeavour to detect them, he was entitled by what he had said that day on another subject, to ask the House to believe. But when the Minister took the whole complexion of a meeting from the intemperate speeches of a few intoxicated or superficial individuals, who might casually attend a public meeting, it proved, what he had already said of the Minister, that he was ignorant of the nature of a popular assembly; how could he be otherwise? He never entered any assembly except the House of Commons, and that was the reason why he could not make a distinction between the honest intentions of the mass of a people, and the absurdities of a few.

But the Minister had endeavoured to make a great deal of the difference that subsisted between the reformers, and he had said that all that had been urged upon reform, when he
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was a party to it, was agreement itself compared to the discordance of late meetings. He thought that there was no harm in every man speaking openly what he thought upon the subject of Parliamentary Reform; he wished every man's heart to be legible in these times of danger. It was better at all times than concealment. He knew not why universal suffrage should have been brought into such contempt; he remembered at some meetings signing his name with the Duke of Richmond in favour of universal suffrage and annual Parliaments. He considered it as the right of every man to propose that if he thought fit; the expediency of such a plan was matter for discussion and deliberation; if any other plan was better, there was no reason why it should not be preferred; but it seemed now to be treated as a species of treason; he confessed he knew not why, he was not at all ashamed of having signed it, there was no secrecy about the matter, it was published in all the newspapers, he thought this plan a better one, he thought also that the mass of the people would be satisfied with it; but, that every man who thought universal suffrage the best plan, must necessarily wish for anarchy and confusion, was a thing which he would not admit. Some men claimed popularity as well as other advantages from their rank, but they were deceived if they thought they could persecute others for following their opinions without being despised by the public. He did not, like a noble Duke, wish to throw men into dungeons for not following his opinion.

It had been stated, that the number of those who wished for a Reform in Parliament was small. He did not believe it. He believed that the whole body of Dissenters wished for a Reform without pulling down the fabric of the Constitution. He believed also, that the mass of the people of Scotland had the same wish, for at present the whole 45 were returned by men who had some of them not an inch of land in that part of the island.

He was not much of an egotist, nor was he, out of that House, an arrogant man. He was almost ashamed of the praise the Minister had bestowed upon him that day for merely doing his duty, when he spoke of the sailors. He hoped, and he trusted, that under such calamity as this country feels, we shall never bend our necks to an insolent foe; but will, if necessary, to a man, defend our rights with our lives. He must be indulged to say another word about himself, as it
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was now necessary. He had been accused of wishing to join with those who wish for anarchy. He would ask those who charged him with so foul a wish, what temptation he had to do so? What provocation had he to raise any malignity against the Aristocracy of this land, or against its monarchy? He had possessed at one time some confidence from the monarch, during the time he filled an office of considerable trust. He had been honoured with the confidence of an illustrious personage. He had been treated with civility by many of the first families in this country. He knew no occasion he had to regret the attention he had received from that House. He had no desire to break a lance with any orator in any other place. He, therefore, expected credit for sincerity when he declared that he supported this motion from his heart, because he thought, in his conscience, it tended to restore to the people some of the purity of their originally excellent Constitution, and to save the State from ruin.

Sir *W. Young* declared himself to be an enemy of every plan he had ever heard suggested for the alteration of the form of the representation, and the present was, in his mind, as objectionable as all the preceding projects that had been submitted to the public. It was idle to contend, however they might be guarded, that every such plan would not finally extend to universal suffrage. It was in the nature of things that concessions being made to the multitude, they would take advantage and turn it to their most extravagant designs. The example of France had presented a warning which he thought would have deterred us from this dangerous course of experiments. Not one of the persons who began the French Revolution intended to push it to universal suffrage; but it was obvious that the degree of power which they gave to the people, made it impossible for them to prevent the abuse of it. In the specific plan which the hon. Gentleman had suggested that day, there were theories entirely inconsistent with perfect representation. Though it was intended to enlarge the representation of the small boroughs, yet he understood that the great cities and populous towns would be divided according to their population. In that case it was obvious that the inequalities would be detrimental to the public interest. The metropolis would have a preponderance over all the rest of the kingdom. London would be the Republic of England, as Paris was of France. He concluded by saying that in his mind Providence seemed to hold out the instructive

lesson to nations to avoid those dangerous theories, and to guard people against the extravagance of their own passions

Mr. *Barham* said, that he had through life been an advocate for Parliamentary Reform, but he must object to the proposition which was that day presented to the House, and that for two distinct reasons. The first, that it was not called for, in his opinion, by the majority of the people; and secondly, that it was not the proper time for agitating the important question. In a season of so much difficulty and alarm, he thought it unwise to call the attention of the House to a subject which must excite very strong emotions in the country, and create divisions injurious to the common exertion that was required for our common interest. When the proper time should come, and that it was obviously called for and demanded by the people, he should certainly think himself bound to give his countenance to a sober and well digested scheme of reform, by which the House of Commons should be the efficient representative of the country.

Mr. *W. Smith* said, that he felt it to be the indispensable duty of Gentlemen to declare their opinions upon this great subject with clearness and precision. The time was come when the question of Parliamentary Reform could be no longer treated with indifference. It was of no account to examine, whether the landed representation had the superiority over the commercial, or whether the commercial was greater than the landed, these were points of little importance; the question was, whether the Crown had not a domineering influence over both? And if this should be made manifest, as in his conscience he believed it could, they ought not, nay, he would say more, they could not long resist the imperious demand of the people for a reform. That it was so would require but little illustration; it was self-evident; one-third of the Members of that House held places of trust and profit directly and openly under the Crown. He did not mean to say that they might not be very honourable men, and that they did not perform faithful service for their money; but he demanded to know, whether if the choice of representation was as free and as popular as it ought to be, it would be either probable or rational that the people of England should delegate a number of persons in the pay of the Crown to watch, examine, and controul the expences of the Crown? Was it likely that, when they were erecting a barrier between themselves and their rulers, they would choose the hired
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servants of Government to constitute that barrier? Look at the fact. Had this third part of the House of Commons given their countenance to any one motion for an enquiry into the expenditure, into the gross extravagance and enormous abuse of the public money during this disastrous war? Had they joined in any one motion for censure upon the unconstitutional modes that had been practised in sending money out of the kingdom without the consent or knowledge of Parliament? Here was upon the face and exterior of our representation a symptom at least of its being erroneous. It was a thing for which nothing but fundamental error in the system could account. There was another instance equally pregnant: by what fatality could it happen that the whole kingdom of Scotland had been of one mind in exercising the elective suffrage if any elective suffrage they possessed? By what unaccountable circumstance was it that all the Members from that country were unanimous in their support of Government? It could only arise from a positive defect in the system of the election; for where the voices of the elective body were free, there would be diversity of opinion. But it was said, how would a reform tend to correct all the evils of our representation? He was free to confess that mere reform in the plan of election would not suffice. But reform must be accompanied with regulations and checks for the correction of bribery and expence, by which the vitiated morals of the people might be corrected, and the scandalous profligacy of elections be removed. He did not by any means think this an impossible task, since he ascribed much of the popular degeneracy to the system and to the example that was given to the multitude. But it was said, at what point would you stop? Who shall answer that you can stop at the point which the honourable Gentleman has proposed in his plan? To this the answer was easy. If you coincide in time, you may fix the bounds to which you will go. Protract the reform till calamity shall have made men desperate, and in truth it may be impossible to reform at all. It was asked, whether corporations should be touched, and whether it would be wise to suffer them to continue upon their present footing? The present was certainly not the precise moment for the enquiry. There was no plan for the elective franchise so good in its first aspect as that of giving it to housekeepers. That was the most obvious test of property upon the one side, and of selected population upon the other. It was urged, as a proof, that the present House

of Commons spoke the sense of the country, that at the general election the people had had it in their power to choose men who had opposed the war, and that having done the contrary was a proof of its being popular. Before this argument was admitted, it must be assumed, that the voice of the people was free, and that the elections spoke their genuine sense. If that were true, there would be no necessity for reform. At the same time it was obvious, that in places, where popular spirit did prevail, men gained or lost the election as they had opposed or supported the present war. He was himself an instance of this fact; and an honourable Baronet had lost his election in the same place, substantively because he had given his countenance to the Ministers in the present war. A good deal had been said about the meeting at the Crown and Anchor. He had attended that meeting, as he had generally attended almost every meeting for Parliamentary Reform for the last two and twenty years. He by no means concurred in thinking that the present obloquy which had been so lavishly thrown upon him, was deserved. He perceived in that meeting a very general and prevailing spirit of moderation. There was, to be sure, a good deal of noise and some confusion, but not more, nor so much as he had frequently seen in that House when intemperate advocates for the measures of Administration were bent upon calling for the question, and silencing by clamour all rational discussion.

Sir *Gregory Page Turner* made a speech against the motion. He thanked God he had been uniform in opposing all such questions ever since he was a boy. It was not much in his manner to oppose the measures of Ministers, but when the right honourable Chancellor of the Exchequer set out in his political life by being a reformer, he opposed him, and he should continue to oppose every person upon the same ground. The Constitution, which had existed for so many years, down to the time of his father, he would not agree to change.

Mr. *Pollen* said, that he was convinced of the necessity and of the wisdom of a temperate reform of the representation of the people. It was in vain to contend against the exigency. Every man who went into a populous place at the time of an election, must be sensible that things could not go on on their present footing. Every hand was open for a bribe. All idea of a representation was scouted. It was a mere profligate scene
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of corruption, and consequently presented to Government the certain means of influencing the majority in that House. He should certainly vote for the motion, by which time and opportunity would be given to discuss the merits of the proposed plan, and to adopt or reject it upon mature deliberation.

Mr. Fox said, much and often as this question has been discussed, both within these walls and without, and late as the hour is, I feel it my duty to make some observations, and to deliver my opinion on a measure of high importance at all times, but which, at the present period, is become infinitely more interesting than ever. I fear, however, that my conviction on this subject is not common to the House. I fear that we are not likely to be agreed as to the importance of the measure, nor as to the necessity; since, by the manner in which it has been discussed this night, I foresee that, so far from being unanimous on the proposition, we shall not be agreed as to the situation and circumstances of the country itself, much less as to the nature of the measures, which, in my mind, that situation and those circumstances imperiously demand. I cannot suppress my astonishment at the tone and manner of Gentlemen on this day. The arguments that have been used would lead the mind to believe that we are in a state of peace and tranquillity, and that our circumstances are flourishing and glorious; that we enjoy the happiness of internal concord, order, and prosperity, which again convey for our foreign relations strength, security, and respect; and that we have no provocation to any steps to improve the benefits we enjoy, or to retrieve any misfortune that we have incurred. To persons who feel this to be our situation, every proposition tending to meliorate the condition of the country must be subject of jealousy and alarm, and if we really differ so widely in sentiment as to the state of the country, I see no probability of an agreement in any measure that is proposed. For myself, and according to my view of our circumstances, all that part of the argument against reform which relates to the danger of innovation, is strangely misplaced by those who think with me, that so far from procuring the mere chance of practical benefits by a reform, it is only by a reform that we can have a chance of rescuing ourselves from a state of extreme peril and distress. Such is my view of our situation. I think it so perilous, so imminent, that though I do not feel conscious of despair, an emotion which the heart ought not to admit, yet it comes nearer to that state of hazard, when the sentiment of despair, rather than of hope, may be supposed to taken possession

sion of the mind. I feel myself to be the member of a community in which the boldest man, without any imputation of cowardice, may dread that we are not merely approaching to a state of extreme peril, but of absolute dissolution; and with this conviction, indelibly impressed upon my heart, Gentlemen will not believe that I disregard all the general arguments that have been used against the motion on the score of the danger of innovation, from any disrespect to the honourable Members who have urged them, or to the ingenuity with which they have been pressed, but because I am firmly persuaded that they are totally inapplicable to the circumstances under which we come to the discussion. With the ideas that I entertain, I cannot listen for a moment to the suggestions that are applicable only to other situations, and to other times; for unless we are resolved, in a helpless pusillanimity, or in a stupid torpor, to succumb, and to wait with resignation the approach of our doom, to lie down and die, we must take bold and decisive measures for our deliverance. We must not be deterred by meaner apprehensions. We must combine all our strength, fortify one another by the communion of our courage, and by a seasonable exertion of national wisdom, patriotism, and vigour, take measures for the chance of salvation, and encounter with unappalled hearts all the enemies, foreign and internal, all the dangers and calamities of every kind which press so heavily upon us. Such is my view of the present emergency of England, and under this impression I cannot for a moment listen to the argument of danger arising from innovation, since our ruin is inevitable if we pursue the course which has brought us to the brink of the precipice. But before I enter on the subject of the proposition that has been made to us, I must take notice of an insinuation that has again and again been flung out by Gentlemen on the other side of the House on party feelings, in which they affect to deplore the existence of a spirit injurious to the welfare of the public. I suspect, by the frequent repetition of this insinuation, that they are desirous of making it be believed, or that they understand themselves by the word party feelings, an unprincipled combination of men for the pursuit of office and its emoluments; the eagerness of zeal of which lead them to entertain and to act upon feelings of personal enmity, ill will, and opposition to his Majesty's Ministers. If such be their interpretation of party feelings, or if the term be so understood by the House, I must say that I am utterly unconscious of any such feeling, and I am sure that I can speak with confidence for my friends, that they are actuated by no motives of so debasing a nature;

nature; but if they understand by party feelings that men of honour, who entertain similar principles, conceive that those principles may be more beneficially and successfully pursued by the force of mutual support, harmony, and confidential connexion, then I adopt the interpretation, and have no scruple in saying that it is for the advantage of the country; an advantage to the cause of truth and the Constitution; an advantage to freedom and humanity; an advantage to whatever honourable object they may be engaged in, that men pursue it with the united force of party feeling, that is to say, pursue it with the confidence, zeal, and spirit which the communion of just confidence is likely to inspire; and if the honourable Gentlemen apply this description of party feelings to the pursuit in which we are engaged, I am equally ready to say that the disastrous condition of the empire ought to animate and invigorate the union of all those who feel it to be their duty to check and arrest a career that threatens us with such inevitable ruin. For surely those who think that party is a good thing for ordinary occasions, must admit that it is peculiarly so on emergencies like the present; it is peculiarly incumbent upon men who feel the value of united exertion to combine all their strength to extricate the vessel when in danger of being stranded. But Gentlemen seem to insinuate that this union of action is directed more against persons than measures, and that allusions ought not to be made to the conduct of particular men; it is not easy to analyse this sort of imputation, for it is not easy to disjoin the measure from its author, nor to examine the origin and progress of any evil without also enquiring into and scrutinizing the motives and the conduct of the persons who gave it rise. How, for instance, is it possible for us to enter into the discussion of the particular question now before the House, without a certain mixture of personal allusion? We complain that the representation of the people in Parliament is defective. How does this complaint originate? From the conduct of the majorities in Parliament. Does not this naturally lead us to enquire whether there is not something fundamentally erroneous in election, or something incidentally vicious in the treatment of those majorities? We surely must be permitted to enquire whether the fault and calamity of which we complain is inherent in the nature of the institution, in which nothing personal is to be ascribed to Ministers, as it will operate in a more or less degree in all the circumstances in which we may find ourselves, or whether it is not an occasional abuse of the original institution, applicable only to these times and to these men, in which they are pecu-

that my learned Friend admitted the existence of such men. On the contrary, the argument of my learned Friend was hypothetical; he said, if it be true, as it is so industriously asserted, that such and such men do exist in the country, then surely in wisdom you ought to prevent their number from increasing by timely conciliation of the body of moderate men, who desire only reform. In this opinion, I perfectly acquiesce with my learned Friend. I believe that the number of persons who are discontented with the Government of the country, and who desire to overthrow it, are very, very few, indeed. But the honourable Gentleman says, that the friends of moderate reform are few, and that no advantage is to be gained by conceding to this very small body what will not satisfy the violent, which he contends is more numerous; and he vehemently demands to know whom he is to divide, whom to separate, and what benefit he is to obtain from this surrender? To this I answer, that if there are two such bodies, it is wisdom, it is policy to prevent the one from falling into the other, by granting to the moderate what is just and reasonable. If the argument of the right honourable Gentleman be correct, the necessity for concession is more imperious, it is only by this means that you can check the spirit of proselytism, and prevent a conversion that by and bye will be too formidable for you to resist. Mark this, and see how it applies to the precedent of Ireland. In the report that has been made by the Parliament of that kingdom on the present disorders, it is said, that so long ago as the year 1791, there existed some men in that country, and some societies, who harboured the desire of separation from England, and who wished to set up a Republican form of Government. The report does not state what was the precise number of those societies in 1791; they declare, however, that the number was small and insignificant. From small beginnings, however, they have increased to the alarming number of one hundred thousand men. By what means have they so increased, and who have been the converts and proselytes who thus swelled their numbers to so gigantic a size? Obviously the men who had no such desire, no such feelings, no such design originally; obviously the persons who had no other object in view in all the petitions which they presented, and in all the applications which they made, than Catholic emancipation and reform of Parliament. This is also admitted by the report. The spirit of
reform

reform spread over the country, they made humble, earnest, and repeated applications to the Castle for redress, but there they found a fixed determination to resist every claim, and a rooted aversion to every thing that bore even the colour of reform. They made their applications to all the eminent and considerable characters in the country, who had on former occasions distinguished themselves by exertions in the popular cause, and of these justly eminent men I desire to speak as I feel, with the utmost respect for their talents and virtues, and for the warm interest which they take in the welfare of the country. But, unfortunately, they were so alarmed by the French Revolution and by the cry which had been so artfully set up by Ministers of the danger of infection, that they could not listen to the complaint. What was the consequence? These bodies of men, who found it in vain to expect it from the Government, at the Castle, or from the Parliament, and having no where else to recur to for redress, joined the societies, whom the report accuses of cherishing the desire of separation from England, and imbibed and became converts to all those notions of extravagant and frantic ambition, which the report lays to their charge, and which threatens consequences so dreadful and alarming, that no man can contemplate them without horror and dismay. What, then, is the lesson to be derived from this example? But that the comparatively small societies of 1791, became strong and formidable by the accession of the many who had nothing in common with them in the outset. I wish it were possible for us to draw the line more accurately between the small number that the report describes to have had mischievous objects originally in view, and the numerous bodies who were made converts by the neglect of their petition for constitutional rights. Is it improbable that the original few were not more than ten or twenty thousand in number? What, then, do I learn from this? That the unwise, impolitic, and unjust refusal of Government, to attend to the applications of the moderate, made eighty or ninety thousand proselytes from moderation to violence. This is the lesson which the book of Ireland exhibits. Can you refuse your assent to the moral? Will any man argue, that if reform had been conceded to the eighty or ninety thousand moderate petitioners, that you would have this day to deplore the union of one hundred thousand men, bent on objects so extensive, so alarming, so calamitous? I wish to warn you by this example; every

argument that you have heard used to-day was used in Dublin. In the short-sighted pride and obstinacy of the Government, they turned a deaf ear to the supplicant; they have now, perhaps, in the open field to brave the assertor. Unwarned, untutored by example, are you still to go on with the same contemptuous and stubborn pride. I by no means think that Great-Britain is at this moment in the situation or that it presents the aspect of Ireland. I by no means think that the discontents of this country have arisen to a height as to make us fear for the general peace of the country; but I deprecate the course which was pursued in Ireland. What England is now, Ireland was in 1791. What was said of the few, they have now applied to the many; and as there are discontents in this country, which we can neither dissemble nor conceal, let us not, by an unwise and criminal disdain, irritate and fret them into violence and disorder. The discontents may happily subside, but a man must be either sanguine indeed in his temper, or dull in his intellect, if he would leave to the operation of chance what he might more certainly obtain by the exercise of reason. Every thing that is dear and urgent to the minds of Englishmen presses upon us; in the critical moment at which I now address you, a day, an hour, ought not to elapse, without giving to ourselves the chance of this recovery. When Government is daily presenting itself in the shape of weakness that borders on dissolution, unequal to all the functions of useful strength, and formidable only in pernicious corruption; weak in power, and strong only in influence, and I to be told that such a state of things can go on with safety to any branch of the Constitution? If men think that under the impression of such a system we can go on without a material recurrence to first principles, they argue in direct opposition to all theory and to all practice. These discontents cannot, in their nature, subside under detected weakness and exposed incapacity. In their progress and increase, as increase they must, who shall say that direction can be given to the torrent, or, that having broken its bounds, it can be kept from overwhelming the country? Sir, it is not the part of statesmen, it is not the part of rational beings, to amuse ourselves with such fallacious dreams; we must not set down and lament over our hapless situation, we must not deliver ourselves up to an imbecile despondency that would animate the approach of danger; but by a seasonable, alert, and vigorous measure
of

of wisdom, meet it with, what we think, a sufficient and a seasonable remedy. We may be disappointed, we may fail in the application, for no man can be certain of his footing on ground that is unexplored, but we shall at least have a chance for success, we shall at least do what belongs to legislators, and to rational beings on the occasion, and I have confidence that our efforts would not be in vain. I say that we should give ourselves a chance, and, I may add, the best chance for deliverance; since it would exhibit to the country a proof that we had conquered the first great difficulty that stood in the way of bettering our condition—We had conquered ourselves. We had given a generous triumph to reason over prejudice, we had given the death blow to those miserable distinctions of *Whig* and *Tory*, under which the warfare had been maintained between pride and privilege, and through the contention of our rival jealousies, the genuine rights of the many had been gradually undermined, and frittered away. I say, that this would be giving us the best chance, because seeing every thing go on from bad to worse, seeing the progress of the most scandalous waste countenanced by the most criminal confidence, and that the effrontery of corruption no longer required the mask of concealment; seeing liberty daily infringed, and the vital springs of the nation insufficient for the extravagance of a dissipating government; I must believe, that unless the people are mad or stupid, they will suspect that there is something fundamentally false and vicious in our system, and which no reform would be equal to correct. Then, to prevent all this, and to try if we can effect a reform without touching the main pillars of the Constitution, without changing its forms or disturbing the harmony of its parts, without putting any thing out of its place, or affecting the securities which we justly hold to be so sacred, I say, that it is the only chance which we have for retrieving our misfortunes by the road of quiet and tranquility, and by which national strength may be recovered without disturbing the property of a single individual. It has been said, that the House possesses the confidence of the country as much as ever, this in truth is a much as to say, that his Majesty's Ministers possess the confidence of the country in the same degree as ever, since the majority of the House support and applaud the measures of the Government, and give their countenance to all the evils which we are doomed to endure. I was very much surprised to hear any proposition so unaccountable advanced by any person connected with Ministers, particularly as the noble Lord had

had but a sentence or two before acknowledged, that there had been to be sure a number of petitions presented to his Majesty for the dismissal of his Ministers; the one assertion is utterly incompatible with the other, unless he means to assert that the petitions which have been presented to the Throne are of no importance. The noble Lord can hardly, I think, speak in this contemptuous manner of the petitions of Middlesex, London, Westminster, Surry, Hampshire, York, Edinburgh, Glasgow, and many other places, unless the noble Lord means to insinuate that they are proofs only of our very great industry, and that they are not the genuine sense of the districts from which they came. If the noble Lord ascribes them to our industry, he gives us credit for much more merit of that kind than we are entitled to; it certainly is not the peculiar characteristic of the present Opposition, that they are very industrious in agitating the public mind. But grant to the noble Lord his position—be it to our industry that all these petitions are to be ascribed. If industry could procure them, was it our moderation, our good will and forbearance that has made us for fourteen years relax from this industry, and never bring forward these petitions until now. No, Sir, it is not to our industry that they are to be ascribed now, nor to our forbearance that they did not come before. He will not give us credit for this forbearance; and the consequence is, that he must own upon his imputation of industry, that the present is the first time when we were sure of the People, and that these petitions are a proof that at length the confidence of the People in Ministers is shaken. That it is so, it is in vain for the noble Lord, or for any other friend of those Ministers to contend; they who in former times were eager to shew their confidence by addresses, have now been as eager to express their sense in petitions for their removal. How then can we say, that the confidence of the People is not shaken? Is confidence to be always against the People, and never for them? It is a notable argument, that because we do not find at the general election very different changes in the Representation, that the sentiments of the People continue the same in favour of the war, and in favour of his Majesty's Ministers. The very ground of the present discussion gives the answer to this argument. Why do we agitate the question of Parliamentary Reform? Because a general election does not afford to the People the means of expressing their voice; because this House is not a sufficient Representative of the People. Gentlemen are fond of arguing in this circle. When we contend that Ministers have not the confidence of the People, they tell us that Parliament is the faithful

faithful Representative of the sense of the People. When we assert that the Representation is defective, and shew from the petitions to the Throne that the House does not speak the voice of the People, they turn to the general election, and say, at this period they had an opportunity of choosing faithful organs of their opinions, and because very little or no change has taken place in the Representation, the sense of the people must be the same. Sir, it is in vain for Gentlemen to shelter themselves under this mode of reasoning. We assert, that under the present form and practice of elections, we cannot expect to see any remarkable change produced by a General Election. We must argue from experience. Let us look back to the period of the American war. It will not be contended by the right honourable Gentleman, that towards the end of that war, it became not extremely unpopular, and the King's Ministers lost the confidence of the nation. In the year 1780, a dissolution took place, and then it was naturally imagined by superficial observers, who did not examine the real state of Representation, that the people would have returned a Parliament that would have unequivocally spoken their sentiments on the occasion. What was the case? I am able to speak with considerable precision. At that time I was much more than I am at present in the way of knowing personally the individuals returned, and of making an accurate estimate of the accession gained to the popular side by that election. I can take upon me to say, that the change was very small indeed, not more than three or four persons were added to the number of those who had from the beginning opposed the disastrous career of the Ministers in that war. I remember that upon that occasion Lord North made use of precisely the same argument as is now brought forward. "What," said he, "can you contend the war is unpopular, after the declaration in its favour that the People have made by their choice of Representatives? the General Election is the proof that the war continues to be war of the People of England." Such was the argument of Lord North, and yet it was notoriously otherwise. So notoriously otherwise, that the right honourable Gentleman, the present Chancellor of the Exchequer, made a just and striking use of it, to demonstrate the necessity of a Parliamentary Reform. He referred to this event as to a demonstration of this doctrine. "You see," said he, "that so defective, so inadequate, is the present practice, at least of the elective franchise, that no impression of national calamity, no conviction of Ministerial error, no abhorrence of disastrous war, are sufficient to stand against that corrupt influence which has mixed itself with election,

election, and which drowns and stifles the popular voice." Upon this statement, and upon this unanswerable argument, the right honourable Gentleman acted in 1782. When he proposed a Parliamentary Reform, he did it expressly on the ground of the experience of 1780, and he made an explicit declaration, that we had no other security by which to guard ourselves against the return of the same evils. He repeated this warning in 1783 and in 1785. It was the leading principle of his conduct, "Without a Reform," said he, "the nation cannot be safe; this war may be put an end to, but what will protect you against another? as certainly as the spirit which engendered the present War actuates the Secret Councils of the Crown, will you under the influence of a defective Representation be involved again in new wars, and in similar calamities." This was his argument, this was his prophecy, and the right honourable Gentleman was a true prophet. Precisely as he pronounced it, the event happened; another war took place, and I am sure it will not be considered as an aggravation of its character, that it is at least equal in disaster to the war of which the right honourable Gentleman complained. "The defect of Representation," he said, "is the national disease, and unless you apply a remedy directly to that disease, you must inevitably take the consequences with which it is pregnant." With such an authority can any man deny that I reason right? Did not the right honourable Gentleman demonstrate his case? Good God, what a fate is that of the right honourable Gentleman, and in what a state of whimsical contradiction does he stand! During the whole course of his Administration, and particularly during the course of the present war, every prediction that he has made, every hope that he has held out, every prophecy that he has hazarded, have failed; he has disappointed the expectations that he had raised; and every promise that he has held out, has proved to be a fallacy and a phantom. Yet, for these very declarations, and notwithstanding these failures, we have called him a wise Minister. We have given him our confidence on account of his predictions, and have continued it upon their failure. Though no one event which he foretold has been verified, we have continued to behold him as the oracle of wisdom; but in the only instance in which he really predicted, as if by divine inspiration what has come to pass, in that we have treated him with stubborn incredulity. In 1785, he pronounced the awful prophecy, "Without a Parliamentary Reform the nation will be plunged into new wars; without a Parliamentary Reform you cannot be safe against bad
 "Ministers,

"Ministers, nor can even good Ministers be of use to you." Such was his prediction; and it has come upon us. It would seem as if the whole life of the right honourable Gentleman, from that period had been destined by Providence for the illustration of his warning. If I were disposed to consider him as a real enthusiast, and a bigot in divination, we might be apt to think that he had himself taken measures for the verification of his prophecy. He might now exclaim to us, with the proud fervour of success, "you see the consequence of not listening to the Oracle! I told you what would happen; it is true that your destruction is complete; I have plunged you into a new war; I have exhausted you as a people; I have brought you to the brink of ruin, but I told you beforehand what would happen; I told you that without a reform in the representation of the people, no Minister, however wise, could save you; you denied me my means, and you take the consequence!" I say, Sir, that if I were to consider him as a bigot to his doctrine, or that his mind was tinged with superstition, as we have heard of enthusiasts whose lives have been devoted to the fulfilment of their own predictions, the right honourable Gentleman's administration has been shaped, and his measures framed for bringing into a terrible demonstration the political doctrine with which he commenced his career.

But a reform in the representation of the people, say Gentlemen on the opposite side of the House, is not called for by the country, and though meetings have been held in various parts of the country, and petitions have come up for the dismissal of Ministers, they have not expressed a wish for reform. In answer to this argument it is only necessary to observe, that the restrictions which have been recently laid on meetings of the people and on popular discussion may serve to account for the question of reform not being mixed with that which is the subject of immediate consideration. The purpose of the meeting is necessarily specified in the requisition to the Sheriff, and if any other business was attempted to be brought forward, the Sheriff would have the power of dispersing the meeting. This has actually been experienced, for, at a meeting of a very respectable county in Ireland, the county of Antrim, after the immediate business for which they were assembled was transacted, that of a petition for the dismissal of his Majesty's Ministers, and of Catholic emancipation and reform, a motion was made for thanks to Earl Moira and myself on account of the steps that we have taken to turn the attention of Govern-

nent to the critical state of that kingdom, a pretty unequivocal proof that the freeholders of that great and respectable county did not consider our proceedings as an interference with the independent legislature of the sister kingdom; but what was the conduct of the Sheriff on the occasion? I do not at all complain of it as wrong, because I think that business ought always to be previously announced, but it serves to shew the power of the Sheriff in such case. The Sheriff declared that he could not put the question, though he had personally no objection to it, because it did not make a part of the business mentioned in the requisition. Now, Sir, this is only an example to prove, that however well disposed to Parliamentary reform, the people could not with propriety introduce them into the petitions agreed upon by meetings called for a different purpose. Their silence upon the subject is no proof either way; the honourable Gentleman will not prophesy that because petitions have not come up, petitions will not come. It was perhaps a prudent resolution to think of one subject only at a time; perhaps they thought that the surest, if not the only way to accomplish a reform in the representation, was to procure the removal of those Ministers who had abandoned the measure. But granting even the fact, that the country does not now call for this reform, a fact, which, however, I deny, but is the country in such a situation as to make it improbable that the universal demand of Parliamentary reform, which has burst from the people of Ireland, will not be speedily communicated by sympathy to the people of England? When I see that the treatment which the people of Ireland have received upon this subject, has exasperated their minds to such a degree as to throw the whole of that kingdom into confusion, and that we have daily to dread the danger of actual insurrection, shall I not take measures to prevent the rise of a passion that may swell into equal tumult? The nearness of the two countries, the sympathetic interest, the similarity of language, of constitution, and almost of suffering, make it probable that one nation will catch the disease of the other, unless we interpose a seasonable cure, or rather preventive of the malady. Is it not desirable in a moment of such agitation, and on the eve of such a crisis as we are likely to encounter? It is wisdom, it is prudence, to erect a standard, around which all the patriotism and the moderation of the kingdom may rally, and the Government may be strengthened against the violence of the few by the countenance and support of the many. If it be true, as we have been taught to be

believe

Heve by our ancestors, that that Government is the strongest whose basis is the broadest, it must be conceded to me, that a prudent extension of the representative system is a salutary means of widening the foundations of the fabric of the British Government. The right hon. Gentleman speaks of the strength of Government; what symptom of strength does it exhibit? Is it the cordiality of all the branches of the national force? Is it the harmony that happily reigns in all the departments of the Executive power? Is it the reciprocal affection that subsists between the Government and the people? Is it in the energy with which the people are eager and alert to carry into execution the measures of the administration, from the heart-felt conviction that they are founded in wisdom, favourable to their own freedom, and calculated for national happiness? Is it because our resources are flourishing and untouched, because our vigour is diminished, because our spirit is animated by success, and our courage by our glory? Is it because Government have in a perilous situation, when they have been obliged to call upon the country for sacrifices, shewn a conciliating tenderness and regard for the rights of the people, as well as a marked disinterestedness and forbearance on their own parts, by which they have, in an exemplary manner, made their own economy to keep pace with the increased demands for the public service; and have they by these means secured to the Government the confidence, the affection, the generosity, and the spirit of the people? Are these the resources of the strength of Government? I forbear, Sir, to push the enquiry; I forbear to allude more particularly to symptoms which no man can contemplate at this moment without grief and dismay. It is not the declarations of right honourable Gentlemen that constitute the strength of a Government. You may deceive yourselves by lofty and vain language, but you yourselves will be the only dupes; that Government alone is strong that has the hearts of the people, and will any man contend that we should not be more likely to add strength to the state, if we were to extend the basis of the popular representation? Would not a House of Commons, freely elected, and that was in truth the representative of the people, in supporting the Administration of the crown, be more likely to conciliate and to insure the support of the people? If this be true in the abstract, it is certainly our peculiar duty to look for this support in the hour of difficulty. What man who foresees a hurricane is not desirous of strengthening his house? If he conceives it to be incapable of standing the storm, he fortifies it by buttresses, and takes every precaution which prudence and foresight can suggest. Shall nations alone be blind

to the dictates of reason, and sit supine on the approach of the tempest? Let us not, Sir, be deterred from this act of prudence by the false representations that are made to us, or the false deductions that are made from the recent occurrences of the world. I do not care for misrepresentation, and I do not scruple to give my opinion of those occurrences with freedom. France is the phantom that is constantly held out to terrify us from our purpose. Look at France, it will not be denied but that she stands on the broad basis of free representation. Whatever other views the government of France may exhibit, and which may afford just alarm to other nations, it cannot be denied that her representative system has proved itself capable of vigorous exertion. It cannot be denied but that it has given her in truth gigantic strength. We feel it too sensibly, Europe feels it too sensibly for denial. Now, Sir, though I do not wish you to imitate France, and though I am persuaded you have no necessity for any terror of such imitation being forced upon you, yet I say that you ought to take example of what is good in it. I say, that you ought to be as ready to adopt the virtues as you are steady in averting from the country the vices of France. I say, that if it is demonstrated beyond the power of subterfuge to question, that genuine representation alone can give solid power, and that in order to make Government strong, the people must make the Government. I say, that you ought to act on this grand maxim of political wisdom thus demonstrated, and call in the people according to the original principles of your system to the strength of your Government. I say that in doing this you will not innovate, you will not imitate, you will only recur to the true path of the constitution of England. In making the people of England a constituent part of the Government of England, you do no more than restore the genuine edifice designed and framed by our ancestors. An honourable Baronet spoke of the instability of Democracies, and says that history does not give us the example of one that has lasted eighty years. Sir, I am not speaking of pure Democracies, and therefore his allusion does not apply to my argument. Eighty years however of peace and repose would be pretty well for any people to enjoy, and would be no bad representation of a pure democracy. I am very ready, however, to agree with the honourable Baronet, that according to the experience of history, ancient Democracies of the world were vicious and objectionable on many accounts; their instability, their injustice, and many

many other vices, cannot be overlooked; but surely when we look back to the ancient Democracies of Greece, when we see them in all the splendor of the arts and of arms, when we see how they aroused and invigorated genius, and to what an elevation they carried the powers of man, it cannot be denied that however vicious on the score of ingratitude, of injustice, they were at least the pregnant and never failing source of national strength, and that in particular they bring forth and afford this strength in a peculiar manner in the moment of difficulty and distress. When we look at the Democracies of the ancient world, we are compelled to acknowledge their oppressions, their horrible acts of injustice and of ingratitude, but they compel us also to admiration by their vigour, their constancy, their spirit, and their exertions in every great emergency in which they are called upon to act. We are compelled to own that it gives a power of which no other form of government is capable. Why? Because it incorporates every man with the State, because it arouses every thing that belongs to the soul as well as to the body of man. Because it makes every individual creature feel that he is fighting for himself and not for another; that it is his own cause, his own safety, his own concern, his own dignity on the face of the earth, and his own interest on the identical soil which he has to maintain, and accordingly we find that whatever may be ascribed, that whatever may be objected to them on account of the turbulency of the passions which they engender, their short duration and their disgusting vices, they have exacted from the common suffrage of mankind the palm of strength and vigour. Who that reads the history of the Persian war, what boy, whose heart is warmed by the grand and sublime actions which the Democratic spirit produced, does not find in this principle the key to all the wonders which were achieved, and of which the recent and marvellous acts of the French people are pregnant examples? He sees that the principle of liberty only could create the sublime and irresistible emotion, and it is in vain to contend from the striking illustration that own times have given, that the principle is internal, and that it belongs to the heart of man. Shall we then refuse to take the benefit of this invigorating principle? Shall we refuse to take the benefit which the wisdom of our ancestors resolved that it should confer on the British Constitution. With the knowledge that it can be reinfused into our system without violence, without

disturbing

disturbing any one of its parts, are we become so inert, so terrified, or so stupid, as to hesitate for one hour to restore ourselves to the health which it would be sure to give? When we see the giant power that it confers upon others, we ought not to withhold it from Great-Britain. How long is it since we were told in this House that France was a blank in the map of Europe, and that she lay an easy prey to any power that might be disposed to divide and plunder her? Yet we see that by the mere force and spirit of this principle, France has brought all Europe to her feet.---Without disguising the vices of France, without overlooking the horrors that have been committed, and that have tarnished the glory of the Revolution, it cannot be denied that they have exemplified the doctrine, that if you wish for power you must look to liberty. If ever there was a moment when this maxim ought to be dear to us, it is the present. We have tried all other means; we have had recourse to every stratagem that artifice, that influence, that cunning could suggest; we have addressed ourselves to all the base passions of the nation; we have addressed ourselves to pride, to avarice, to fear; we have awakened all the interested emotions; we have employed every thing that flattery, every thing that fear, every thing that privilege could effect; we have tried to terrify them into exertion, and all as been unequal to our emergency. Let us try them by the only means which experience demonstrates to be invincible, let us address ourselves to their love, let us identify them with ourselves, let us make it their own cause as well as ours; to induce them to come forward in support of the State, let us make them a part of the State, and this they become the very instant you give them a House of Commons, that is the faithful organ of their will; then, Sir, when you have made them believe and feel that there can be but one interest in the country, you will never call upon them in vain for exertion. Can this be the case as the House of Commons is now constituted? Can they think so if they review the administration of the right honourable Gentleman, every part of which must convince them that the present representation is a mockery and a shadow? I shall not trouble you, Sir, with going over the whole of that series of disastrous measures that have forced upon the country the impression that the House of Commons has lost its efficacy in the system of Government. But let us look back to the very singular circumstances under which the right honourable Gentleman came into power, from this we shall see in what estimation

estimation the House of Commons is held, even by Government itself, when it does not suit their purpose to extol it as the representative of the people. The honourable Gentleman came into power against the sense of the majority of the then House of Commons, and armed with all the corrupt power of the Crown, he stood, and successfully resisted the power of the House of Commons. He declared that it was not the representative of the people, that it did not speak the sense of the nation, and he derided its weakness and inefficiency. What is the doctrine that this conduct in 1784 promulgated? That the House of Commons, so long as it obeys the will of the Minister, so long as it grants every thing which he demands, so long as it supports every measure which he brings forward, the House of Commons is the genuine representative of the country, it is powerful, and omnipotent, but the moment that a House of Commons presumes to be the censor of Government, the moment that it assumes the character of diffidence and opposition, from that instant it ceases to have power or authority in the kingdom, it then becomes a straw which the Minister can scatter with a breath of wind, he puffs it away with a breath, this he did, and completed his triumph in 1784; since that time who will say that the corrupt influence of the Crown has not made enormous strides in destroying the power of election? since that time four-fifths of the election franchises of Scotland, and Cornwall particularly, have passed into the hands of Government, and the prediction which an honourable Gentleman (Mr. Burke) then made upon the occasion has been literally fulfilled---no House of Commons has been since found strong enough to oppose the Ministers of the Crown. It has been said that that period was not proper to be taken as a test of the public spirit on the subject of representation; that it was a moment of national prosperity, and that nothing can be decided for or against representation by that precedent; it was, however, in that moment that the seeds of rottenness and dissolution were sown. I thought I saw them at the time, and I have been confirmed in my observation by every thing that has occurred since. I pass over all the period between that time up to the present war, not because it is not fruitful of examples, but because I do not wish to trespass upon your time.—The present war, say Ministers, was popular in its commencement; the same was said of the commencement of the American war. I will not stop to enquire into the truth of the assertion, though it is

at least doubtful; I will not deny that, through the artful machinations of Government, a clamour was excited of the interested, which Ministers called the voice of the nation. Whatever may have been the case, however, in the outset of the two wars, the progress in the public opinion has been the same in both, and I aver that as in the American war the public opinion had changed, though no change was produced by the general election of 1780, so now I aver that, for the last two years the present war has been universally unpopular in England, though it has not made its voice to be heard by the choice of representatives. Though the general election has not produced a change of men, yet he must be a dull observer of the public mind who says, that the general election did not afford a striking proof of a change in the sentiments of the people; for what was the conduct of the candidates in opulent places, of the candidates on the two sides? We boasted of having opposed the war, we made it our claim, and our appeal to the confidence of the People, that we had resisted every one of the measures by which the Government has brought us into our present condition. What was the conduct of the candidates on the other side? It consisted of apologies for their past offence of supporting the war, it consisted of whining and canting explanations, in descriptions of alarms, and not unfrequently in misrepresentations of facts.—Such was the feeling conveyed by the General Election, it served to convince every observing man, that if the representative system had been perfect, or the practice pure, the new Parliament would have decidedly voted against the continuance of the war. Seeing then the conduct they have pursued, can the people have confidence in this House? Can they have confidence in a House that has given their countenance to misrepresentation through the whole course of the war? Suppose the people were to look for the history of the events that have happened in this war, and for the condition of the country from the King's speeches from the Throne, and to the Addresses of the two Houses of Parliament, they would see that almost in every instance, his Majesty has declared from the Throne, and the House of Commons has replied in its humble and loyal Addresses, that our prospects were improved, and that the country was flourishing and prosperous. Look at all the King's speeches and addresses since the year 1793, and you will find that this is their general tone and language. And yet this is the House of Commons in which the People of England are to have confidence! Amidst all the failures and sufferings which

which they have had to deplore, and in their present condition of dreadful and unparalleled calamity, they are called upon to trust to a House of Commons that assures them their prospects and situation have been gradually improving since the year 1793. There has been at different times a great deal of dispute about virtual Representation; Sir, I am no great advocate for these nice subtleties and special pleadings on the Constitution; much depends upon appearance as well as reality. I know well that a popular body of 558 Gentlemen, if truly independent of the Crown, would be a strong barrier to the people; but the House of Commons should not only be, but appear to be, the Representatives of the People; the system should satisfy the prejudices and the pride, as well as the reason of the people; and you never can expect to give the just impression which a House of Commons ought to make on the People, until you derive it unequivocally from them. It is asked, why Gentlemen, who were against a Parliamentary Reform on former occasions should vote for it now? Ten years ago men might reasonably object to any Reform of the system, who ought now, in my opinion, to be governed by motives that are irresistible in its favour. They might look back with something like satisfaction and triumph to former Parliaments, and console themselves with the reflection that though in moments of an ordinary kind in the common course of human events, Parliament might abate from its vigilance, and give a greater degree of confidence than was strictly conformable with representative duty; that yet there was a point beyond which no art of parts of power, no influence of corruption, could carry them; that there were barriers in the British Constitution over which the House of Commons never would leap, and that the moment of danger and alarm would be the signal for the return of Parliament to its post. Such might have been the reasoning of Gentlemen on the experience of former Parliaments, and with this rooted trust in the latent efficacy of Parliament, they might have objected to any attempt that should give scope to views, or cherish hopes to a change in the system itself; but what will the same Gentlemen say after the experience of the last and the present Parliament? What dependence, what trust, what reliance can they have for any one vestige of the Constitution that is yet left to us? Or rather, what privilege, what right, what security has not been already violated?

“——— quid intactum nescisti liquimus?”

And seeing that in no one instance have they hesitated to go the full length of every outrage that was conceived by the Mi-

nister; that they have been touched by no scruples, deterred by no sense of duty, corrected by no experience of calamity, checked by no admonition or remonstrance; that they have never made out a single case for enquiry; that they have never interposed a single restraint upon abuse, may not Gentlemen consistently feel that the Reform which they previously thought unnecessary is now indispensable? We have heard to-day, Sir, all the old arguments about honour on the one side as being as likely as honour on the other; and that there are good men on both sides of the House; that a man may be a Member for a close borough upon one side of the House as well as upon the other; and that he may be a good man fit where he may: all this, Sir, is very idle language; it is not the question at issue, no man disputes the existence of private and individual integrity; but, Sir, this is not Representation; if a man comes here as the proprietor of burgessed tenure, he does not come here as the Representative of the People. The whole of this system, as it is now carried on, is as outrageous to morality, as it is pernicious to just Government; it gives a scandal to our character, which not merely degrades the House of Commons in the eyes of the People, but it does more, it undermines the very principles of integrity in their hearts, and gives a fashion to dishonesty and imposture. They hear of a person giving or receiving four or five thousand pounds as the purchase money of a seat for a close borough; and they hear the very man who received and put into his pocket the money make a loud, a vehement speech in this House against bribery; and they see him, perhaps, move for the commitment to prison of a poor, unfortunate wretch at your bar, who has been convicted in taking a single guinea for his vote in the very borough perhaps where he had publicly and unblushingly sold his influence, though that miserably guinea was necessary to save a family from starving, under the horrors of a war which he had contributed to bring upon the country. Sir, these are the things that paralyse you to the heart; these are the things that vitiate the whole system, that spread degeneracy, hypocrisy and sordid fraud over the country, and take from us the energies of virtue, and sap the foundations of patriotism and spirit. The system that encourages so much vice ought to be put an end to, and it is no argument that, because it lasted a long time without mischief, it ought now to be continued, when it is found to be pernicious; it is arisen to a height that defeats the very end of Government; it must sink under its own weakness, and this, Sir, is not a case peculiar to itself, but is inseparable from all human institutions. All the writers of eminence upon forms of Government have said, that in order

to preserve them, frequent recurrence must be had to their original principles. This is the opinion of Montesquieu, as well as of Machiavel. Gentlemen will not be inclined to dispute the authority of the latter on this point at least, and he says, that without this recurrence they grow out of shape, and deviate from their genuine form; it is only by recurring to former principles that any Government can be kept pure and unabused. But, say Gentlemen, if any abuses have crept into our system, have we not a corrective whose efficacy has been proved, and of which every body approves? Have we not Mr. Grenville's bill as an amendment to the Constitution? An amendment it is—an amendment which acknowledges the deficiency. It is an avowal of a defective practice. It is a strong argument for a reform, because it would not be necessary if the plan of representation were sufficient. But, Sir, there is a lumping consideration, if I may be allowed the phrase, which now more than ever, ought to make every man a convert to Parliamentary Reform; there is an annual revenue of twenty-three millions sterling collected by the Executive Government from the people. Here, Sir, is the despot of election; here is the new power that has grown up to magnitude, that bears down before it every defensive barrier established by our ancestors for the protection of the people. They had no such tyrant to controul, they had no such enemy to oppose. Against every thing which was known, against every thing that was seen, they did provide, but it did not enter into the contemplation of those who established the checks and barriers of our system, that they would ever have to stand against a revenue of twenty-three millions a year. The whole landed rental of the kingdom is not estimated at more than twenty-five millions a year, and this rental is divided and dispersed over a large body who cannot be supposed to act in concert, or to give to their power the force of combination and unity; but even if all united, organized and exerted, has it not now to oppose a power nearly equal to itself in one hand, in a hand that has all the means of hostility prepared, and all the resources for action in full activity? But it is said, that though the Government is in the receipt of a revenue of twenty-three millions a year, it has not the expenditure of that sum, and that its influence ought not to be calculated from what it receives, but what it has to pay away. I submit, however, to the good sense, and to the personal experience of Gentlemen who hear me, if it be not a manifest truth that influence depends almost as much upon what they have to receive, as upon what they have to pay; whether it does not proceed as much from the

submission of the dependant who has a debt to pay, as on the gratitude of the person whose attachment they reward? And if this be true, in the influence which individuals derive from the rentals of their estates, and from the expenditure of that rental, how much more so is it true of Government, who, both in the receipt and expenditure of this enormous revenue, are actuated by one invariable principle, that of extending or withholding favour in exact proportion to the submission or resistance to their measures which the individuals make? Compare this revenue then with that against which our ancestors were so anxious to protect us, and compare this revenue with all the bulwarks of our Constitution in preceding times, and you must acknowledge, that though those bulwarks were sufficient to protect us in the days of King William and Queen Anne, they are not equal to the enemy we have now to resist. But it is said, what will this reform do for us? will it be a talisman sufficient to retrieve all the misfortunes which we have incurred? I am free to say that it would not be sufficient unless it led to reforms of substantial expence, and to reform of all the abuses that have crept into our Government. But at the same time I think it would do this, I think it would give us the chance, as I said before, of recovery. It would give us, in the first place, a Parliament vigilant and scrupulous, and that would insure to us a Government active and economical. It would prepare the way for every rational improvement, of which, without disturbing the parts, our Constitution is susceptible. It would do more, it would open the way for exertions infinitely more extensive than all we have hitherto made. The Right Honourable Gentleman says that we have made exertions. True. But what are they in comparison to our necessity? and yet they have sunk us into decrepitude, and threaten us with convulsion. I wish you to be restored to a vigour that shall make you equal to your emergency; but the right honourable Gentleman says, that when we consider our comparative situation with that of countries who have taken another line of conduct in the present state of the world, we ought to rejoice; and that our situation is infinitely superior to those who have not pursued the same route. I confess, Sir, that I am very much at a loss to conceive what country the right honourable Gentleman has in view in this comparison. Does he mean to assert that the nations who preferred the line of neutrality to that of war have fallen into a severer calamity than ourselves and the other powers who have embraced the politics of the right honourable Gentleman? Does he mean to say that Sweden, or that Denmark, has suffered more by observing

observing an imprudent neutrality than England or Austria by wisely plunging themselves into war? Or does he mean to insinuate that Prussia has been the victim of its impolicy in getting out of the conflict on the first occasion? If this be the interpretation of the right honourable Gentleman's argument, I do not believe that he will get many persons to subscribe to the justice of his comparison. But probably he alludes to the fate of Holland: if this be the object to which he wishes us to turn our eyes, he does it unjustly. Holland acted under the despotic mandate of that right honourable Gentleman; and Holland, whatever she has suffered, whatever may be her present situation, lays her calamities to the charge of England. I cannot then admit of the argument that our situation is comparatively better than that of the nations who altogether kept out of the war, or, being drawn into it, in the first instance corrected their error, and restored to themselves the blessings of peace.

I have detained you, Sir, thus long in replying to the arguments which have been advanced at different times against the Reform of Parliament as a general measure of policy. I come now to consider the specific proposition of my honourable Friend, and the arguments that have been brought against it in particular. Let me premise, that however averse Gentlemen may be to any specific proposition of reform, if they are friendly to the principle, they ought to vote for the present question, because it is merely a motion for leave to bring in a bill which would be printed in order to give time for deliberate discussion. An opposition to such a motion comes with a very ill grace from the right honourable Gentleman; it contradicts his own conduct; it contradicts the policy for which he strenuously argued. In the year 1785 he moved for leave to bring in a bill on a specific plan, and he fairly called upon the support of all those who approved of the principle of reform, whatever might be the latitude of their ideas on the subject; whether they wished for more or less than his proposition, he thought that they should agree to the introduction of the bill, that it might be freely discussed in the Committee, in hopes that the united wisdom of the House might shape out something that would be generally acceptable. Upon this candid argument, I, for one, acted. I did not approve of his specific proposition, and yet I voted with him for leave to bring in the bill. And this, Sir, has generally happened to me on all the former occasions, when propositions have been made, though I have constantly been a friend to the principle. I have never before seen a specific plan that had my cordial approbation; that which
came

came nearest, and of which I the least disapproved, was the plan of an honourable Gentleman who is now a more (Mr. Flood), he was the first person who suggested the idea of extending what might be proper to add to representation, to house-keepers, as to a description of persons the best calculated to give efficacy to the representative system. My honourable Friend's plan, built upon this idea, is an improvement of it, since it is not an attempt even to vary the form and outline, much less to new model the representation of the people; it keeps every thing in its place; it neither varies the number, nor changes the name, nor diverts the course of any part of our system; it corrects without change; it extends without destruction of any established right; it restores simply what has been injured by abuse, and reinstates what time has mouldered away; no man can have a right to complain of genuine property assailed; no habit even, no mode of thinking, no prejudice will be wounded; it traces back the path of the Constitution from which we have wandered, but it runs out into no new direction. A noble Lord says, that the county representation must be good, that must be approved of; be it so; this proposes to leave the county representation where it is; I wish so to leave it, I think that representation ought to be of a compound nature; the counties may be considered as territorial representation, as contra-distinguished from popular, but, in order to embrace all that I think necessary, I certainly would not approve of any further extension of this branch of the representation. It has been asked, whether the rights of corporations ought not to be maintained? That is a matter for further discussion. I have no hesitation in saying, my opinion leads the other way; but if it should be thought so, it may be so modified in the bill; there is no reasonable objection to its introduction on account of our not now agreeing with all its parts. My honourable Friend, with all his abilities, and all the industry with which he has digested his proposition, does not presume to offer it to you as a perfect plan, nor call upon you to subscribe to it with implicit faith. He does not call upon you to adopt all his notions, nor does he think that every part of his plan will be found to quadrate with the abstract principles of representation; he looks to what is practicable in the condition in which we are placed, not to what a new people might be tempted to hazard. My opinion, however unimportant it may be, goes with the honourable Gentleman; I think that there is enough of enterprise and vigour in the plan to restore us to health, and not enough to run us into disorder. I agree with him, because I am firmly
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of opinion with all the philosophical writers on the subject, that when a country is sunk into a situation of apathy and abuse, it can only be recovered by recurring to its first principles. Now, Sir, I think that acting on this footing to extend the right of election to housekeepers, is the best and most advisable plan of reform; I think also that it is the most perfect recurrence to first principles; I do not mean to the first principles of society, nor to the abstract principles of representation, but to the first known and recorded principles of our Constitution. According to the early history of England, and the highest authorities on our Parliamentary Constitution, I find this to be the case. It is the opinion of the celebrated Glanville, than in all cases where no particular right intervenes, the common law right of scot and lot was the right of election in the land; this, Sir, was the opinion of Serjeant Glanville, and of one of the most celebrated Committees of which our Parliamentary history has to boast, and this, in my opinion, is the safest line of conduct that you can adopt. But it is said, that extending the right of voting to housekeepers may, in some respects, be compared to universal suffrage. I have always deprecated universal suffrage, not so much on account of the confusion to which it would lead, but because I think that we should in reality lose the very object which we desire to obtain; because I think it would in its nature embarrass and prevent the deliberative voice of the country from being heard. I do not think that you augment and multiply the deliberative body of the people by counting all the heads, but that in truth you confer on individuals, by this means, the power of drawing forth numbers, who, without deliberation, would implicitly act upon their will. My opinion is, that the best plan of representation is that which shall bring into activity the greatest number of independent voters, and that that is defective which would bring forth those whose situation and condition takes from them power of deliberation. I can have no conception of that being a good plan of election which should enable individuals to bring regiments to the poll. I hope Gentlemen will not smile if I endeavour to illustrate my position by referring to the example of the other sex. In all the theories and projects of the most absurd speculation, it has never been suggested that it would be advisable to extend the elective suffrage to the female sex; and yet, justly respecting, as we must do, the mental powers, the acquirements, the discrimination, and the talents of the women of England, in the present improved state of society—knowing the opportunities which they have for acquiring knowledge—that they

have

have interests as dear and as important as our own, it must be the genuine feeling of every Gentleman who hears me that all the superior classes of the female sex of England must be more capable of exercising the elective suffrage with deliberation and propriety than the uninformed individuals of the lowest class of men to whom the advocates of universal suffrage would extend it; and yet, why has it never been imagined that the right of election should be extended to women? Why, but because by the law of nations, and perhaps also by the law of nature, that sex is dependent on ours; and because, therefore, their voices would be governed by the relation in which they stand in society. Therefore, it is, Sir, that with the exceptions of companies, in which the right of voting merely affects property, it has never been in the contemplation of the most absurd theorists to extend the elective franchise to the sex. The desideratum to be obtained, is independent voters; and that, I say, would be a defective system that should bring regiments of soldiers, of servants, and of persons whose low condition necessarily curbed the independence of their mind. That then I take to be the most perfect system which shall include the greatest quantity of independent electors, and exclude the greatest number of those who are necessarily by their condition dependent.

I think that the plan of my honourable friend draws this line as discreetly as it can be drawn, and it by no means approaches to universal suffrage. It would neither admit, except in particular instances, soldiers and servants. Universal suffrage would extend the right to three millions of men, but there are not more than seven hundred thousand houses that would come in within the plan of my honourable friend, and when it is considered that out of these some are the property of minors, and that some persons have two or more houses, it would fix the number of voters for Great Britain at six hundred thousand; and I call upon Gentlemen to say, whether this would not be sufficiently extensive for deliberation on the one hand, and yet sufficiently limited for order on the other. This has no similarity with universal suffrage, and yet, taking the number of representatives as they now stand, it would give to every member about fifteen hundred constituents. But it is said, would even this plan of reform protect us against the consequences of bribery and corruption; I do not affect to say that it will; I do not believe that in the present state of society we can be altogether free from this evil; no laws will be found sufficient to eradicate an evil, which example has so banefully established. We have for a course of years inculcated and habituated the

people

JRS

people to the sordid vice, and we certainly cannot wonder that a poor man should scruple to take five guineas for his vote, when he knows that the noble Lord in his neighbourhood took four or five thousand. But, it is to be hoped, that when the baneful encouragement is removed, the regulations that would be introduced would tend to diminish, if not altogether to remove the evil. Among those regulations, that of shortening the duration of Parliaments would be one strong corrective, and this, I think, might be done with great convenience and facility by the plan upon which the elections would be made. It has often been a question, both within and without these walls, how far representatives ought to be bound by the instructions of their constituents. It is a question upon which my mind is not altogether made up, though I own I lean to the opinion, that having to legislate for the Empire, they ought not to be altogether guided by instructions that may be dictated by local interests. I cannot, however, approve of the very ungracious manner in which I sometimes hear expressions of contempt for the opinion of constituents; they are made with a very bad grace in the first session of a septennial Parliament, particularly if they should come from individuals, who in the concluding session of a former Parliament, did not scruple to court the favour of the very same constituents, by declaring that they voted against their conscience, in compliance with their desire, as was the case of an honourable Alder-
of the city of London. But, Sir, there is one class of constituents whose instructions it is considered as the implicit duty of members to obey. When Gentlemen represent populous towns and cities, then it is disputable whether they ought to obey their voice, or follow the dictates of their own conscience; but if they happen to represent a noble Lord, or a noble Duke, then it becomes no longer a question of doubt; he is not considered as a man of honour who does not implicitly obey the orders of his single constituent. He is to have no conscience, no liberty, no discretion of his own; he is sent here by my Lord this, or the Duke of that, and if he does not obey the instructions that he receives, he is not to be considered as a man of honour and a gentleman; such is the mode of reasoning that prevails in this House; is this fair? Is there any reciprocity in this conduct? Is a Gentleman to be permitted, without dishonour, to act in opposition to the sentiments of the city of London, of the city of Westminster, or of Bristol; but if he dares to disagree with the Duke, or Lord, or Baronet, whose representative he is, that he must be considered as unfit for the society of men of honour? This, Sir, is the chicane and tyranny of corruption, and this, at the same time, is called

representation. In a very great degree the county members are held in the same sort of thralldom; a number of peers possess an over-weening interest in the country, and a Gentleman is no longer permitted to hold his situation than as he acts agreeably to the dictates of those powerful families. Let us see how the whole of this stream of corruption has been diverted from the side of the people to that of the Crown, with what a constant, persevering art, every man who is possessed of influence in counties, corporations, or boroughs, that will yield to the sollicitations of the court, is drawn over to that phalanx which is opposed to the small remnant of popular election. I have looked, Sir, to the machinations of the present Minister in that way, and I find that, including the number of additional titles, the right honourable Gentleman has made no fewer than one hundred and fifteen peers in the course of his administration; that is to say, he has bestowed no fewer than one hundred and fifteen titles, including new creations and elevations from one rank to another; how many of these are to be ascribed to national services, and how many to Parliamentary interest, I leave the House to enquire. The country is not blind to the arts of influence, and it is impossible that we can expect them to continue to endure them. A noble Lord has quoted a most able book on the subject of the French Revolution, the work of my very worthy and learned friend Mr. Mackintosh, and I rejoice to see that Gentlemen begin now to acknowledge the merits of that eminent writer, and that the impression that it made upon me at the time, is now felt and acknowledged even by those persons who disputed its authority. The noble Lord (Hawkesbury) has quoted Mr. Mackintosh's book on account of the observation which he stated on the mention which he makes of the French elections; he thought that their plan would lead to the evil of universal suffrage. I have not forgot the sarcasms that were flung out on my approbation of this celebrated work; that I was told of "my new library, stuffed with the jargon of the Rights of Man;" it at this time appears, however, that I did not greatly over-rate this performance, and they now quote Mr. Mackintosh as an authority, who before treated him with splenetic scorn. My intimacy with that learned Gentleman has not diminished, but increased my admiration of his talents; and I can now with truth affirm, that he possesses as vigorous an intellect, as any man in this or any other country. Sir, with all my sincere admiration of this book, I think the weakest and most objectionable passage in it, is that which the noble Lord has quoted; I think it is that which the learned author would himself be the most desirous to correct. Without descending

scending to minute and equivocal theories, and without enquiring further into the Rights of Man than what is necessary to our purpose, there is one position in which we shall all agree, that man has the right to be well governed. Now it is obvious, that no people can be satisfied with a Government from the constituent parts of which they are excluded. When we look to the kingdom of Scotland, we see a state of representation so monstrous and absurd, so ridiculous and revolting, that it is good for nothing excepts perhaps to be placed by the side of the English, in order to set off our destructive system, by the comparison of one still more defective; in Scotland there is no shadow even of representation, there is neither a representation of property for the counties, nor of population for the towns. It is not what we understand in England by freeholders that elect in the counties, the right is vested in what is called the superiorities, and it might so happen that all the members for the counties of Scotland might come here without having the vote of a single person who had a foot of property in the land. This is an extreme case, but it is within the limits of their system. In the boroughs their Magistrates are self-elected, and therefore the members have nothing to do with the population of the towns.

Now, Sir, having shewn this to be the state of the country, and the state of our representation, I ask you what remedy there can be other than reform? What can we expect, as the necessary result of a system so defective and vicious in all its parts, but increased and increasing calamities, until we shall be driven to a convulsion that would overthrow every thing. If we do not apply this remedy in time, our fate is inevitable. Our most illustrious patriots, and the men whose memories are the dearest to Englishmen, have long ago pointed out to us Parliamentary reform as the only means of redressing national grievance. I need not inform you, that Sir George Savile was its most strenuous advocate; I need not tell you, that the venerable and illustrious Camden was through life a steady adviser of seasonable reform; nay, Sir, to a certain degree we have the authority of Mr. Burke himself for the propriety of correcting the abuses of our system; for Gentlemen will remember the memorable answer that he gave to the argument that was used for our right of taxing America, on the score of their being virtually represented; and that they were in the same situation as Manchester, Birmingham, and Sheffield. "What," said Mr. Burke, "when the people of America look up to you with the eyes of filial love and affection, will you turn to them the shameful parts of the constitution?" With, then, the concurring testimony of so many authorities

for correcting our abuses, why do we hesitate? Can we do any harm by experiment; Can we possibly put ourselves into a worse condition than we are? What advantages we shall gain I know not; I think we shall gain many; I think we shall gain at least the chance of warding off the evil of confusion, growing out of accumulated discontent; I think that we shall save ourselves from the evil that has fallen upon Ireland; I think that we shall satisfy the moderate, and take even from the violent, if any such there be, the power of encreasing their numbers, and of making converts to their schemes. This, Sir, is my solemn opinion, and upon this ground it is that I recommend with earnestness and solicitude the proposition of my hon. Friend.

And now, Sir, before I sit down, allow me to make a single observation with respect to the character and conduct of those who have, in conjunction with myself, felt it to be their duty to oppose the progress of this disastrous war. I hear it said, "you do nothing but mischief when you are here, and yet we should be sorry to see you away." I do not know how we shall be able to satisfy the gentlemen who feel towards us in this way; if we can neither do our duty without mischief, nor please them by doing nothing. I know but of one way by which we can give them content, and that is by putting an end to our existence. With respect to myself, and I believe I can also speak for others, I do not feel it to be consistent with my duty totally to secede from this House. I have no such intention; but, Sir, I have no hesitation in saying, that after seeing the conduct of this House, after seeing them give to Ministers their confidence and support, after convicted failure, imposition, and incapacity; after seeing them deaf and blind to the consequences of a career that penetrates the hearts of all other men with alarm, and that neither reason, experience, nor duty are sufficiently powerful to influence them to oppose the career of Government, I certainly do think that I may devote more of my time to my private pursuits, and to the retirement which I love, than I have hitherto done; I certainly think that I need not devote so much of it to fruitless exertions and to idle talk in this House; whenever it shall appear that my efforts may contribute in any degree to restore us to the situation from which the confidence of this House in a desperate system, and an incapable administration, has so suddenly reduced us, I shall be found ready to discharge my duty. Sir, I have done; I have given my advice. I propose the remedy,
and

and fatal will it be for England if pride and prejudice shall much longer continue to oppose it.—The remedy which is proposed is simple, easy and practicable; it does not touch the vitals of the Constitution; and I sincerely believe that it will restore us to strength and harmony. Do you think that you must not come to a Parliamentary reform soon, and is it not better to come to it now when you have the power of deliberation, than when perhaps it may be extorted from you by convulsion? There is as yet time to frame it with freedom and discussion; it will even yet go to the people with the grace and favour of a spontaneous act. What will it be when it is extorted from you with indignation and violence? God forbid that this should be the case, but now is the moment to prevent it; and now I say wisdom and policy recommend it to you, when you may enter into all the considerations to which it leads, rather than to postpone it to a time when you will have nothing to consider but the number and force of those who demand it. It is asked, whether liberty has not gained much of late years, and whether the popular branch ought not therefore to be content? To this I answer, that if liberty has gained much, power has gained more. Power has been indefatigable and unwearied in its encroachments; everything has run in that direction through the whole course of the present reign. This was the opinion of Sir George Savile, of the Marquis of Rockingham, and of all the virtuous men who in their public lives proved themselves to be advocates for the rights of the people. They saw and deplored the tendency of the Court; they saw that there was a determined spirit in the secret advisers of the Crown to advance its power, and to encourage no administration that should not bend itself to that pursuit, accordingly through the whole reign no administration who cherished notions of a different kind has been permitted to last, and nothing, therefore, or next to nothing, has been gained to the side of the people, but every thing to the Crown in the course of the reign. During the whole of this period we have had no more than three administrations, one for twelve months, one for nine, and one for three months, that acted upon the popular principles of the early part of this century; nothing, therefore, I say, has been gained to the people, while the constant current has run towards the Crown, and God knows what is to be the consequence, both to the Crown and country.

I believe

I believe that we are come to the last moment of possible remedy. I believe that at this moment the enemies of both are few, but I firmly believe that what has been seen in Ireland, will be experienced also here, and that if we are to go on in the same career with Convention Bills and acts of exasperation of all kinds, that the few will soon become the many, and that we shall have to pay a severe retribution for our present pride. What a noble Lord said some time ago of France, may be applicable to this very subject, "What," said he, "negotiate with France? With men whose hands are reeking with the blood of their Sovereign? What! shall we degrade ourselves by going to Paris, and there asking in humble, diplomatic language, *to be on a good understanding with them?*" Gentlemen would remember these lofty words, and yet we had come to this humiliation, we had negotiated with France, and I should not be surprised to see the noble Lord himself (Hawkesbury) going to Paris, not at the head of his regiment, but on a diplomatic commission to those very regicides to pray to be upon a good understanding with them. Shall we then be blind to the lessons which the events of the world exhibit to our view; pride, obstinacy and insult, must end in concessions, and those concessions must be humble in proportion to our unbecoming pride? Now is the moment to prevent all these degradations, the Monarchy, the Aristocracy, the People themselves may now be saved, it is only necessary at this moment to conquer our own passions. Let those Ministers whose evil genius has brought us to our present condition retire from the post to which they are unequal, and with an earnest desire of recovering the country, pursue this moderate scheme of Reform, under the auspices of men who are likely to conciliate the opinion of the People. I do not speak this, Sir, from personal ambition, it is dead in me; I have no desire, no wish, of making a part of any such Administration, my first and chief desire is to see this great end accomplished; I have no desire to be the person, or to be one of the persons, to do it; though my wish is for retirement, I shall always be ready to give my free and firm support to any Administration that shall restore to the country its outraged rights, and re-establish its strength upon the basis of free Representation, and therefore, Sir, I shall certainly give my vote for the proposition of my honourable Friend.

Sir *William Dolben* approved of the motion for a Reform.

At length the question was called for, and the House divided,

<i>Ayes</i> (For the Question)	—	91
<i>Noes</i> (Against it)	—	256

Majority, 165

*List of the Members who voted in favour of Mr. Grey's proposition for a
Reform in the Commons House of Parliament.*

Thomas Anson, Esq.	Litchfield
Sir John Aubrey, Bart.	Aldeborough
Wm. Baker, Esq.	Hertfordshire, County
Sir Charles Warwic Bamfylde, Bart.	Exeter
Geo. Barclay, Esq.	Bridport
John Baring, Esq.	Exeter
John Pollexfen Bastard, Esq.	Devonshire, County
Charles Geo. Beauclerk, Esq.	Richmond
Robert Biddulph, Esq.	Herefordshire, County
Wm. Wilberforce Bird, Esq.	Coventry
Hon. Edward Bouverie,	Northampton
James Brogden, Esq.	Launceston
Joseph Randyll Burch, Esq.	Thetford
Sir Francis Burdett, Bart.	Boroughbridge
George Byng, Esq.	Middlesex, County
Lord George A. Henry Cavendish,	Derbyshire, County
Thomas Wm. Coke, Esq.	Norfolk, County
Edward Coke, Esq.	Derby
Edward Clarke, Esq.	Wootton Bassett
Wm. Colquhoun, Esq.	Bedford
Harvey Christian Combe, Esq.	London, City
Sir Lionel Copley, Bart.	Tregony
John Courtenay, Esq.	Appleby
John Crewe, Esq.	Cheshire, County
John Christian Curwen, Esq.	Carlisle
Sir Charles Davers, Bart.	St. Edmondsbury
William Joseph Denison, Esq.	Camelford
Baron Dimsdale,	Hertford
Sir Wm. Dolben, Bt.	Oxford, University
Charles Dundas, Esq.	Berkshire, County
Hon. Laurence Dundas,	Richmond
Hon. Thomas Erskine,	Portsmouth
General Fitzpatrick,	Tavistock
Sir Henry Fletcher, Bart.	Cumberland, County
Sir Martin Browne Folkes, Bart.	King's Lynn
Right Hon. Charles James Fox,	Westminster
James Greene, Esq.	Arundel
Charles Grey, Esq.	Northumberland, County
James Hare, Esq.	Knareborough
John Harrison, Esq.	Thetford
Sir Gilbert Heathcote, Bart.	Lincolnshire, County
Sir Richard Hill, Bart.	Shropshire, County

Benjamin Hobhouse, Esq.	Blechingly.
Henry Howard, Esq.	Gloucester
Wm. Hussey, Esq.	New Sarum
Nathaniel Jefferys, Esq.	Coventry
Joseph Jekyll, Esq.	Calne
Jervoise Clerke Jervoise, Esq.	Yarmouth
Richard Payne Knight, Esq.	Ludlow
Sir Wm. Lemon, Bart.	Cornwall, County
John Lemon, Esq.	Truro
Ralph Milbanke, Esq.	Durham, County
Sir Wm. M. Milner, Bart.	York
John Nicholls, Esq.	Tregony
Dudley North, Esq.	Banbury
Wm. Northey, Esq.	Newport
John George Phillips, Esq.	Carmarthen
Henry Peirce, Esq.	Northallerton
Wm. Plumer, Esq.	Hertfordshire, County
George Augustus Pollen, Esq.	Leominster
Hon. John Rawdon,	Launceston
Hon. George Rawdon,	Lincoln
Joseph Richardson, Esq.	Newport
Richard Bateman Robson, Esq.	Oakhampton
Lord John Russell,	Tavistock
Lord Wm. Russell,	Surrey, County
Hon. St. Andrew St. John,	Bedfordshire, County
Richard Brinsley Sheridan, Esq.	Stafford
George Shum, Esq.	Honiton
Wm. Smith, Esq.	Sudbury
Lord Robert Spencer,	Wareham
Lord Stanley,	Preston
John Stein, Esq.	Blechingly
Charles Sturt, Esq.	Bridport
Michael Angelo Taylor, Esq.	Aldeborough
Henry Thornton, Esq.	Southwark
George Tierney, Esq.	Southwark
Lord John Townshend,	Knareborough
John Trevanion, Esq.	Dover
Hon. John Tufton,	Appleby
Hon. Henry Tufton,	Rochester
Sir Charles Turner, Bt.	Kingston upon Hull
George Vanfittart, Esq.	Berkshire, County
Robert Vyner, jun. Esq.	Lincolnshire

Hon. George Walpole,	Derby
James Walwyn, Esq.	Hereford
Charles Callis Western, Esq.	Malden
Samuel Whitbread, Esq.	Bedford
Edmund Wigley, Esq.	Worcester
Walter Wilkins, Esq.	Radnorshire, County
Sir Thomas Williams, Bt.	Marlow
Owen Williams, Esq.	Marlow
Richard Wilson, Esq.	Barnstable

TELLERS.

Richard Brinsley Sheridan, Esq.	Stafford
Wm. Smith, Esq.	Sudbury.

HOUSE OF LORDS.

TUESDAY, May 30.

The Duke of *Bedford* rose to make his promised motion, and spoke in substance as follows:

My Lords, I have twice given notice of the motion, to hear which your Lordships are summoned, at first I did it briefly, and waited from day to day for the presence of his Majesty's Ministers to state more fully the immediate object of it, which I did last Friday, but as his Majesty's Ministers were absent, it may not be amiss for me now to repeat that I stated that my object was to call your Lordships attention to the situation of the country, to move an address to his Majesty on that situation, and suggest such measures as appeared to me most likely to improve and amend it with my reasons for the same; I proceed now therefore to the discharge of that task, which I thought it my duty to undertake, when I first moved that your Lordships be summoned for this day.

After the repeated experience which I have had of the failure of every proposition from this side of the House, and the fate which has attended the different motions which the state of public affairs has induced me to bring forward, it may perhaps appear surprising that I should again obtrude myself upon your Lordships with another attempt of a similar nature. Disappointed, however, as I have been upon former occasions, the circumstances in which the country is placed, call for every exertion for its salvation, which presents the slightest hopes of success. I therefore feel myself compelled once more to direct the attention of your Lordships to the momentous state of public affairs; to call upon you to take

into your consideration the causes and the consequences of that situation, and as a duty incumbent upon you, pronounce that opinion which such a review will lead you to form. No man will attempt to deny the great and unexampled extent of our calamities. In describing the causes by which this state of calamity and of danger has been produced, it will fall to my lot to animadvert severely upon the conduct of Ministers. In tracing the picture of our situation for the last four years, the period to which I intend to limit my observations, there can be little new to which to call your attention upon a subject so often discussed. It is a beaten track, my Lords, which, as we travel over it, affords no cheering prospect to encourage you to proceed and indeed presents little variety to the view, except some new calamity, and some fresh misfortune. But we ought not to be deterred by this disagreeable prospect from the discharge of our duty, unless we are content to lie down in despair, and passively to await the fate by which we are threatened. It is our duty to exert ourselves to remove the causes of those calamities which we suffer, and to avert those dangers which we apprehend.—I am sensible that in the considerations which I shall lay before you, any digression were an improper abuse of your indulgence; that, to waste much of your time in pressing the inferences which the subject offers would be idle and unnecessary. The facts themselves, which I lay before you, speak so strongly that any argument would only weaken the impression which they are calculated to produce. The war then is the first point to which I shall call the attention of your Lordships as the great source of our present calamities. However men may differ as to the origin or the necessity of the war, none will deny that to this cause much of our misfortunes is to be ascribed. Within these walls this war has been called just and necessary, a war into which we were forced by the aggression of the enemy, and to protect our allies the Dutch. Were I to repeat to you the causes which have been stated, and the arguments employed by Ministers to justify the war, I should not remind you of what you have forgotten, but tire you with the repetition of what you too well know. Without these walls, however, the supporters of Ministers avowed that the object of the war was to destroy the French Republic, and to re-establish the Monarchical Government. I do not say that, within these walls, this object was so explicitly held forth; but the arguments and the reasonings of Ministers pointed out that inference to their adherents. It has been said then
that

that this was a war for the preservation of law, religion, and morality, in defence of every thing dear to us, for our liberty, for our Constitution, for our property. What is the state of property now? Has it been ameliorated by the war which professed to be undertaken for its security? Will any man now say that it has been saved? What are the benefits which we have derived from the war? If you wish to destroy the Republican Government, consider the situation in which it now stands, and the circumstances in which you are placed. If you went to war upon that principle, why do you not persevere upon the same ground, or have Ministers only abandoned the cause for which they originally contended, because they find that it cannot be attained? Instead of attempting to controul mens minds, a wise and prudent Government would have endeavoured to unite them. While you embarked in a contest to defend your laws against a foreign enemy, perhaps it would have been as well to secure them against an administration at home. Are your laws ameliorated by the war? On the contrary, have not the best and dearest privileges of the law been suspended? Have not laws been made against that very liberty which you went to war to defend? It was said that this country went to war for the preservation of religion; did you expect to defend the altar by surrounding it with seas of blood, or to secure it from violation, by piling round it the carcases of the dead? Is it the way to defend religion to sacrifice man after man till such numbers were lost as this depopulating contest has destroyed? We have been told that we were fighting in support of morality; has this war then produced many examples favourable to morality? Has the conduct of the King of Prussia furnished examples of morality? Do you find it in the dungeons of Olmutz? or do you discover it in the conduct of those petty tyrants who buzzed about you when there was any hopes of success, and disappeared when your cause became desperate? I shall not, however, dwell upon the beginning of the war, or the conduct of Ministers in the course of it. If we look to the past, we have much to regret; if we look to the future we have much to fear. If we look at the attempts which have been made to negotiate, we shall be able to judge of the hopes of Peace under the auspices of those who are entrusted with the administration of public affairs. Not to dwell upon the first attempt which was made at Basle by Mr. Wickham, can

any one think that the best mode of negotiation was tried, or that the means most likely to ensure success were employed? In all the present Ministers attempts at negotiation, and in the effects of those attempts, I see nothing but presumption, mismanagement, and disgrace. That the means employed were not the best, I have always thought, and in this opinion I have been confirmed by the acknowledgment even of those who supported the war, and who in other respects approved the measures of Ministers. In what I shall say upon this point I shall refer chiefly to that Negotiation in which Lord Malmesbury was employed, the documents of which are before the House. I shall entirely put out of view the sincerity of Ministers in this attempt, or the sincerity of the French Government in meeting the advances which were made. I shall grant that both parties were desirous of peace, provided it could have been obtained upon their own terms. This subject has been so often discussed that I shall not go into it in much detail. I hold it clear from the documents produced, that Ministers were willing to make peace, provided Belgium was given up to the Emperor, or placed in such a situation as to be independent of France; and that France was willing to conclude a peace if we had agreed to cede Belgium. That this was the real disposition of both parties the House will entertain little doubt, if they look into the papers upon the subject. When I reflect upon the conduct of Ministers upon this occasion, knowing as they must have done the critical situation of the country, and the state of our resources, I confess that I cannot feel much confidence in the success of any attempts at negotiation which they may find it necessary to make. They were apprised of the danger which threatened public credit; they were able to judge how far it was wise to insist upon terms when they compared them with the means by which they could be enforced. It cannot be denied, that the restoration of Belgium was peremptorily insisted upon. The friends of Ministers indeed, contend that this was but the opening of negotiation, that the French flew off, that no opportunity was given to remove obstacles or settle differences. Upon this subject I must refer to the facts which the letter of Lord Malmesbury contains. The English Minister gave in a memorial proposing the general restoration to the Emperor of all the acquisitions which the French had made at his expence. Upon this proposition a conversation ensued between Lord Malmesbury and Monsieur Delacroix. Lord Malmesbury opened the subject in a manner which, I have always thought, did him the highest credit. He told the
French

French Minister that the magnitude of the subject ought to exclude finesse; that they ought to speak out with freedom and truth. He seems to say that the restoration of Belgium to the Emperor would be insisted upon, but desires a *contre projet*, but he adds, that no expectation should be admitted that Belgium should be retained. Its ceasing to belong to the French was admitted to be a *sine qua non* of any *contre projet*. No man then can contend, unless Lord Malmesbury had acted in opposition to his instructions, that the Ministers of this country had determined that Belgium should not remain a part of the French Republic. I would ask the House then, seriously to consider the time and the circumstances in which the point was so obstinately maintained? After what they must have known of the internal situation of this country, after they were apprised of the danger with which the Bank was menaced, I would ask, if it was wise to put Belgium in competition with the public credit of this country? I would ask, whether those short-sighted Ministers, who risked the main spring of our prosperity, and the destruction of that grand source from which flows all our wealth and all our greatness, by insisting upon a demand which they had no prospect of ever being able to enforce, can justify the confidence of the House, or inspire hopes of success from their future exertions? The next point to which I would call the attention of your Lordships, is the state of the Finances. I am not prepared to state from memory the exact amount of the debt which has been incurred by the war; I am afraid, however, that the payment of the interest is but scantily provided for; the annual amount of the new taxes is seven millions and a half; but I believe a very considerable additional sum will be requisite to cover the whole expence that has been incurred. Should the war continue two or four months longer, or if you will, for the whole of the year, and few will be sanguine enough to expect peace at a much earlier period, three millions more must be raised to defray the interest of the debt which this war has created. I shall state the grounds upon which this opinion is founded: It appears from a report of a Committee appointed to examine into the subject in the year 1790, or 1791, that for the average of the five years preceding, the peace establishment of this country was 16,850,000*l.* including the annual million for the reduction of the national debt; different circumstances will at least make an addition to that peace establishment of 500,000*l.* the whole of the expences already incurred, and the sum of which will be found outstanding on the winding up of the accounts, which I compute at 15,000,000*l.* the whole of the new peace establishment,

establishment, with the additional 200,000*l.* annually voted for the reduction of the national debt, will amount to 26,300,000*l.* The permanent taxes previous to the war, were stated at 13,890,000*l.* taking the taxes imposed since 1793 for what they have been given, a statement which is much too high from the experience of what they have already produced, and stating the land and malt tax at its usual amount, there remains upon the whole a deficiency of three millions! Enormous as the burdens already imposed upon the country are, we have to lament the additional burdens they must yet undergo. Ten millions and a half are required to cover the interest of the debt which the present war has created! No one year have the People yet borne the burden of more than three millions, so that the dreadful weight of seven millions and a half annual burden which they have not yet experienced, must be added to the pressure under which they already groan! It is a principle of the Constitution of this country, that the People should, as early as possible, be apprised of the burdens which they must support. The present Minister, in pursuance of this principle, used to boast as a particular merit, that he faced the difficulties we had to encounter, and never concealed the burdens which we had incurred; but how has he observed that principle which he boasted as the rule of his conduct? Upon this point I refer to the documents contained in the reports of the Committees before the House. I shall not go at large into this branch of the subject, as upon a former occasion I called the attention of the House to it particularly. There were several points however, on which I was obliged to curtail my observations, especially upon the correspondence between the Chancellor of the Exchequer and the Bank. The conduct of the Minister in the whole course of these transactions I stated in terms of strong disapprobation. I stated that it was a tissue of fraud, treachery and deceit. These are harsh epithets, but they are justified by the evidence contained in the Report. From the beginning of the year 1795, the Bank Directors were frequent and earnest in their remonstrances to the Chancellor of the Exchequer; they reminded him of the advances which they had made to Government, and his promises of payment; they stated the amount of their advances on Treasury Bills to be between two and half and three millions. Those representations, urged upon different occasions, were uniformly answered with promises, that the subject of complaint should be remedied, and that the advances should be repaid. These promises were never performed, and new applications for fresh advances were made. In answer to the demand of the Bank,

of the 30th July 1795, the Chancellor of the Exchequer states, that warrants were making out at the Treasury, and that the payments should immediately be made. What is the consequence however? From the account it appears that four weeks elapsed from this period before any payment was made. On the 6th of August the Chancellor of the Exchequer applies for an advance of two millions and an half on the Consolidated Fund; he pretended the utmost concern for the welfare of the Bank, and expressed his surprise that the Directors could imagine that its interest was a less object with him than with them. The event, however, shewed the sincerity of his expression of regard for the Bank. The Bank Directors again accede to the demand, on the express condition, however, that 1,100,000*l.* should be paid on account of their advances upon Treasury bills in the month of October, a certain proportion in April following, and that the amount of Treasury bills should never exceed 500,000*l.* a regulation which should be adopted before November. All these conditions, however, were neglected; the remonstrances of the Bank were despised, and the amount of their advances continued to increase. They warned the Chancellor of the Exchequer of the fatal consequences of the drain of cash to the Emperor, and the inevitable ruin which would ensue from that system: but the Chancellor of the Exchequer was equally indifferent to their warnings and to their solicitations; he still continued to procure advances upon renewed promises which he continued to break, and on conditions which he never performed. In 1796 the complaints of the Bank continued with as little success; a short time prior to the embassy of Lord Malmesbury, the Bank made a solemn appeal to the Cabinet upon the danger with which they were threatened; the Minister could not be ignorant of the state of the country, but it produced no effect upon his measures, and entered for nothing into the conduct of the negotiation. The promises of the Chancellor of the Exchequer were broken, and, as before, the Bank was deluded into new advances. If the consideration of the whole correspondence between the Chancellor of the Exchequer and the Bank, to the moment when it was compelled to stop payment, does not excite the indignation of the House, nothing which I can add could have any influence. It has ever been held as the best means of preserving and extending the public prosperity, to face our difficulties and to meet all our expences; here, however, the object of the Minister was, by a chain of perfidy and
deceit,

deceit, to disguise the amount of our expence, and to conceal the real burdens of the people; money was applied to purposes different from those for which it was granted, provision was never made for the scale of expence which was employed, the Bank of England was reduced to the situation of stopping payment, and public credit exposed to utter ruin to supply an expenditure which Parliament had not sanctioned, and to support the mischievous schemes and wasteful prodigality of Ministers. Had the real object of the war been fairly avowed, or the expence of it been fairly stated, I am convinced that Peace would long ere now have been concluded.

I come next to consider the internal situation of the country. The laws which have been passed on pretence of preserving internal tranquillity, will afford additional proof of the pernicious system on which Ministers have acted; laws which I hold to be disgraceful to a free Government, repugnant to the Constitution, and inconsistent with the principles of the Revolution!—

Lord *Sydney* called to order, and said, that such language ought not to be applied to laws which stood upon the statute book.

The Duke of *Bedford* continued. The whole conduct of the present Administration has been disgraceful to the Constitution, inconsistent with the principles established at the Revolution, incompatible with good Government and with the support of the Crown, which they affect to be so anxious to maintain. But for the most striking illustration of the wretched policy of Ministers, let us look to Ireland. When I speak of that country, I know not in what terms of reprobation to express my abhorrence of the system which Ministers have pursued. Earl Fitzwilliam was sent out as Lord Lieutenant, as was generally understood, upon the wise and salutary plan of making those concessions which would satisfy the expectations of the people of Ireland; he was deceived by Ministers, and sacrificed to their old system. On a former occasion, when I stated that Earl Fitzwilliam was, in my opinion, the man best calculated for securing the happiness of that country, I was accused of throwing a reproach upon Lord Camden; from the reports I have heard of the character of that noble Lord, with whom I am not personally acquainted, I am led to entertain as high an opinion of his private worth as I feel upon the experience of private friendship for the virtue and worth of his predecessor.

cessor. But Earl Fitzwilliam went out to carry into execution a system dear to the wishes of Irishmen. Lord Camden went out to direct a system far different, and avowedly hostile to those measures which the people of Ireland were led to expect, and on which their hearts were fixed. What has been the consequence of that system which Ministers chose to employ? Every attempt to coerce has only spread more widely the spirit of discontent, their blind perseverance in coercion has heightened discontent into disaffection, and endangered the connection of the two countries. Such are the effects which were predicted from the system which Ministers chose to put in practice at a time when the utmost tranquillity was said to prevail. With what justice that opinion was entertained the event has now shewn. At home we have deeply to regret the events which have taken place under the conduct of Ministers. Circumstances have occurred which never happened before. The first appearances of these events I do not mean to impute to Ministers. I now allude to the disturbances which have lately taken place in the navy. I am firmly convinced that we cannot discharge our duty if we withhold from speaking any longer, and that silence would be an additional mischief. I am aware that the subject is a delicate one, but its importance forces itself on our attention. While I entertained the hope that the exertions of Ministers would be successful in restoring tranquillity, I forbore saying any thing upon the subject, but when I am convinced that we cannot be secure in any quarter under their management, I feel that it is necessary. Although we have no authentic documents upon this subject, the papers which have been circulated every where contain certain facts of which there can be no doubt. When the mutiny first broke out the sailors made demands, many of which, in the opinion of every one, were reasonable; others not. In order to put a stop to the mutiny, I may find it difficult, for want of documents, to say what I would have done, but I will say distinctly and decidedly what I would not have done. I would not have acted as Ministers have done. So far it is known, that certain requests were made; to these the Admiralty made offers, which were rejected. The Admiralty then raised their offers, and the agreement was concluded. What was given, however, is thought to be reasonable; but the conduct of Ministers in offering less than they afterwards granted, shews that they thought this more than was reasonable; for I desire to lay it down as a distinct proposition,

that if the demands of the sailors were reasonable, concessions were not to be blamed. But Ministers have established an idea that they have granted more than was compatible with reason, and in that they are extremely culpable. Are you then, after the examples of incapacity which they have manifested, and the evils their measures have produced, determined to devote your country to destruction? (Here there was a cry of *hear! hear!*) I come here with as great an interest as any man in the House in the safety of the country, and I repeat, are you determined to devote your country to destruction, by leaving its affairs to the conduct of men who have already involved you in such complicated calamities? When rebellion runs to that height which the Executive Government cannot controul, then I hold that the country is brought to destruction, and that a new line of conduct, and a new system of measures, is necessary for its salvation. I am unwilling to dwell upon this topic, where there is so much danger of misrepresentation, but I felt it my duty to speak freely, convinced as I am that the constitution of this country cannot long remain upon its present footing, if the present Ministers are suffered much longer to remain at the head of public affairs. I trust that I need not detain your Lordships by dilating on these various topics. I trust I have already said enough to shew that to the conduct of Ministers we owe a great part of the calamities under which the country now suffers. I think that I have stated grounds to justify the motion for the dismissal of Ministers, with which I shall conclude. I am desirous, however, to mark distinctly the grounds on which the motion proceeds. It is not merely the situation of the country, but it is the system by which the country has been governed which the motion aims to remedy; without a new line of conduct, without a new system of Government, we cannot hope that things will continue upon their present footing. Various considerations present themselves upon this subject, and many changes are felt to be necessary. The most salutary of these is a change in the representation of the people. But even these changes must be idle and nugatory without others more important. Without retrenchment and œconomy in every department, without correcting the abuses which prevail, and fairly looking at our situation, we cannot expect that co-operation of the country which is necessary to give effect to the vigorous measures required to extricate us from our present state of difficulty and danger. The facts which I have already stated I think are sufficient to warrant the conclusion I have drawn from them. Ministers may contend

contend that the war was just and necessary; but they have discovered a total incapacity to conduct that war which they began, and they have equally proved by their attempts to negotiate, that peace is not to be expected under their auspices. The critical state of Ireland, the important events which have taken place in England, prove that their system, if pursued, threatens ruin to the empire. On the one hand, one of its most valuable branches is almost driven from its connection; while the means of our safety seem to lose all vigour under their conduct. There is only one point remaining to which I shall say a few words, with the indulgence of the House; and I rather hope for that indulgence, as I do not mean to claim the privilege of replying, unless misrepresentation of my arguments shall render it necessary. For four years past I have constantly endeavoured to discharge the duty which I owe to the public as a member of this House. Previous to that period I was accustomed to look up to a set of men whose principles and talents commanded my confidence and esteem, till they ceased to act upon those principles which they had formerly professed, those at least which I had imbibed. The circumstances in which the country was then placed called upon those who disapproved of the system to come forward and oppose what they deemed pregnant with danger. For four years I have endeavoured to impress the House with the opinion which I feel of the public measures which have been pursued, and to rouse your Lordships to a sense of the evils which the system threatened to produce. Would to God that I could say that the fears which I formerly expressed of the ruinous consequences of that system had been idle and unmeaning apprehensions? I am afraid, however, that I can boast, if it can be boast, to see realized the calamities I have predicted; that though but a young prophet, the event has but too faithfully verified my predictions. In the course of these exertions I have been subjected to obloquy, to invective, to the most foul and malignant misrepresentation. Such treatment has never excited in me any emotions of anger, for I could not be angry at what I so much despise and condemn. It has never deterred me from performing my duty, for I should hold myself to be mean and dastardly, if my conduct could be actuated by such considerations. I have been subjected likewise to charges of a more serious nature: I have been told that to my indiscretion was owing the disturbance which lately broke out in the fleet.

Had such an event actually been owing to any conduct of mine, though I should have been happy to reflect that I was innocent of any bad intention, yet, had I been conscious that from my indiscretion so great a calamity had arisen, I should have hid my head from the world, and buried myself and my name in oblivion. When such a charge was brought forward, I indeed expected that some proof of it would have been offered, though I should have been no less surprised at the attempt, as I can only consider the imputation as a rash thought, not a serious accusation. Yet none of these insinuations, none of these charges shall deter me from doing my duty. I feel that it is the duty of every man to exert himself for the advantage of his country in the station in which he is placed, if his efforts can be employed with the slightest hope of success. For four years, however, I have struggled in vain to oppose a system which I conceived to be pregnant with so much disaster. Notwithstanding the calamities we have incurred, and the misfortunes we have suffered; notwithstanding the incapacity which Ministers have manifested, the fatal system has maintained its ascendancy in this House. After all the arguments I could employ, and all the illustrations which experience has afforded, I have not gained a single inch for the country. In these circumstances there is nothing left but to retire. In thus retiring I hope I shall not be accused of inconsistency if, in the course of a week or a month, I should again return. Whenever I can indulge the hope of being useful I shall return. In acting in this manner I may be accused of rash folly, but, at least, I shall escape the charge of inconsistency. What I have now to propose I do not bring forward with any hope of its being carried. All I ask is, that your Lordships would turn it in your minds, that you would reflect seriously upon the situation of the country, that you would try to devise some means of avoiding the complete ruin with which we are threatened. By the system that has hitherto been pursued, I cannot hope that the impending destruction can be averted. Some other line of conduct, some other system of measures must be adopted. What that new system shall be, I am not so presumptuous as to decide; all I desire is, that you would resolve to embrace some other one, and to put an end to that from which we have already suffered so much calamity, and from which we have yet so much to dread. I therefore move,

"That an humble address be presented to his Majesty, to remind his Majesty that his faithful and loyal subjects, the Lord's spiritual and temporal in Parliament assembled, have, during this calamitous war, uniformly given every aid and assistance

stance that could contribute to that support which his Majesty has experienced from a brave and loyal people.

"To assure his Majesty that it is even now with deep regret we approach his throne, to lay before him the grievances under which his people labour; but that a sense of duty compels us to state to his Majesty, that the desertion of all our allies, the triumphs of an enemy we were taught by his servants to despise, the public credit of the country impaired, the coasts of these kingdoms with impunity insulted, the exertions of the British navy suspended, and the melancholy situation into which Ireland has been industriously brought, presents to our view a series of calamity unparalleled in the history of our country.

"Humbly to state to his Majesty, that we cannot attribute this uniform succession of misfortune to accident, or even to the miserable incapacity of his servants; that we must regard it as the effect of a system of Government, destructive of the exertions and hostile to the constitution of our country.

"That we feel it our bounden duty humbly to represent to his Majesty, that as much as we lament the blood that has been spilt, and the burthens that have been imposed on his Majesty's subjects in maintaining the disastrous contest in which we are engaged, deeply as we deplore the perilous state of his Majesty's kingdoms, we can alone regard these our present misfortunes as a prelude to more serious calamities, which we view with horror, but which we look forward to as the sure consequence of persevering in that system of policy which his Majesty's servants have pursued.

"That under these circumstances we beseech his Majesty, by dismissing those Ministers from his presence who have constantly insulted the enemy by their discourse, and encouraged them by their incapacity, to give to his subjects a proof of his anxiety to procure that peace which his people so anxiously desire.

"We entreat his Majesty, by dismissing from his councils those men whose extravagance and want of good faith have impaired the credit of the Country, to display his desire of uniting with his subjects in restoring that public credit on which the importance of his kingdom so materially depends.

"We earnestly solicit his Majesty, by dismissing his present servants, to give to the people of Ireland the strongest proof they can receive of his Majesty's disapprobation of that system of treachery by which the present discontents of that country have been fostered; and of his Majesty's intention of securing (if it is yet possible) the connection that subsists between these kingdoms, by extending to men of all description, in that oppressed country, the blessings of the constitution under which they were born.

"Finally, we implore his Majesty, that by dismissing from his presence for ever, those Ministers whose measures have impaired the liberties, and whose extravagance has injured the property of his subjects, he will afford a sure testimony of his gracious intention of co-operating in restoring the spirit of the British constitution, and of adopting such a system of economy and retrenchment as is alone consistent with the prosperity of his exhausted people."

Earl

Earl *Strange* (the Duke of Athol) agreed that the present crisis was one which loudly called for exertion, but he did not think that the measure proposed in the address moved by the noble Duke was at all calculated to meet the exigency of the times. The war he acknowledged to be a great source of the difficulties under which the country laboured. These, however, were more or less the consequence of every war, and were perhaps inseparable from such a contest as the present. The noble Duke, in the first part of his speech, had provided him with arguments in favour of the necessity of the war. It was in his opinion necessary for the preservation of order, religion and law; and when these objects, which he had gained, were compared with what we had lost, he was not of opinion that we had good reason to complain. He declined entering into any detail upon the conduct of the war. The enquiry would take up too much of the time of the House, and he confessed himself unable to lead them through it. He only begged leave to observe, that the conduct of every war depended upon the circumstances of that war. With respect to the cessions of Belgium, he reminded the House that we were not in the same situation now that we were in during Lord Malmesbury's negotiation; he did not conceive it therefore to be fair to reason from the terms which it was then proper to reject, to the terms which we ought at present to accept. He could not agree with the results of the noble Duke's calculations. He, therefore, declined following the noble Duke through them, but he observed, that in taking down the sums the noble Duke seemed to have lessened the produce of the taxes on one side, in order to increase the expenditure on the other; and in regard to the 15 millions supposed to be necessary at the winding up of the war, the noble Duke had estimated the rate at which it was to be borrowed at the present price of public interest. After the long dissertation of the noble Duke concerning the Chancellor of the Exchequer and the Bank, he should beg leave to mention one thing, which he believed to be a fact. That was, that greater advances had been made by the Bank to Government in former wars than in the present, and that at a time too when our resources were inferior, and our exports one third less. There was another point which the noble Lord on the cross bench (the Earl of Liverpool) stated on a former night worthy consideration, as one of the real causes by which the Bank was involved in difficulty. He alluded to the act of Parliament for restraining the rate of interest to 5 per cent. whereby people employed their money in loans, which was formerly applied to the discounting

counting of bills. In reply to the question of the noble Duke, "What had we gained by the contest?" He said, that we had gained the privilege of continuing to sit and debate in that House, and that if we had not entered into the war with France, neither he nor the noble Duke would have been at that time peers of the realm. Of the sedition and treason acts, though he acknowledged them to be infringements to a certain degree upon the constitution, he had approved as measures dictated by a temporary and urgent necessity; in common he was convinced with four fifths of the nation. The noble Duke had asked, whether they were determined to devote their country to destruction? No; on the contrary, they would save their country. The noble Duke had asserted the stake he had in the country. He allowed that it was great, but there were many in the House who had still greater stakes; those, for instance, who had families for whose interests they had to consult. He was surprized at this moment in particular, to find the noble Duke touching such nice ground as the seamen stood on. He thought the most prudent mode of proceeding would be to leave that business solely to the Executive Government, or at most only to lend such assistance as might be necessary to restore subordination. He expressed a hope that they would soon, under a conviction of their folly, return to the regular discharge of their duty. He opposed the address upon the ground that it would tend to detract from the energy of Government, to unhinge the administration, and even to unhinge the country.

The Duke of *Grafton* begged leave to address a few serious words to the House, which he hoped would prove salutary to the country. He spoke under an impression that if some measure of importance was not immediately adopted for its salvation, a gulph was prepared to swallow it. He did not wish to unhinge the Government, as the noble Earl had dreaded would be the effect of the motion moved by the noble Duke, but he should give the address his hearty support, upon the principle that a continuation in error would beget a repetition of disaster. He desired any man to quote an instance in the history of the world in which a nation once flourishing had been reduced to a situation more calamitous. Four years ago the British empire had attained to a state of undisputed pre-eminence in Europe, and its prosperity was the object of envy to every surrounding nation; but now it was reduced to the lowest ebb of public distress. Our wealth, which was thought exhaustless, had been wasted by idle prodigality; and our resources, which were considered almost as unlimited, had fallen a victim

a victim to a system of most lavish profusion. He called upon their Lordships to recollect the extent of our commerce, the magnitude of our capital, the skill of our manufacturers, and above all the general industry of the people. He reminded them of the respectability of our military establishment; a militia composed of the best troops, and commanded by officers of the largest property; a standing army under the command of experienced officers, and composed of soldiers not inferior in bravery or discipline to any in Europe; add to this, a navy acknowledged to be superior in force to the united fleets of every kingdom in the world. He thought it unnecessary to dilate upon this once glorious but now mortifying topic. Their Lordships would find the prosperity of the country at that period beautifully depicted in a speech delivered by Mr. Pitt in 1792. How he had come to depart from those principles, by acting upon which he had brought the country to that high state of greatness, it was for him to account to his conscience and to the public. He trusted that the change had not been dictated by a lust of power, if so, he had exceeded the criminality described in the maxim *video meliora proboque, deteriora sequor*. But from whatever cause it arose, the contrast in our situation was most deplorable. We stood stript of every ally; Austria, which had been more faithful than the rest, from all the information he could collect, he understood to be now just not an enemy. The Bank of England, owing to a most unaccountable inattention on the part of the Treasury to the circulating specie of the country, stopt payment, and received a blot on its character, which all the waters of Lethe could never efface. The first Lord of the Treasury, as if intent upon its ruin, had persisted in draining it of its cash in spite of the representations of those who are best acquainted with its circumstances, and heedless of the warning which he had received from the stoppage of the Newcastle and other country Banks. The indelible blot which it had sustained was from the hand of Government being stretched out against it in defiance of the opinion which formerly existed, that it was above the government. Other Ministers would have shifted the odium of restraining the specie to Parliament; and the hand of Government would never have appeared in the transaction; and then the Bank would have risen paramount to its distresses: but the present Minister, by adopting a different plan, had ruined its good faith for ever. If a specimen of the inability of Ministers to conduct the war were asked for,

for, the expedition to St. Domingo alone would prove it. The madness of that measure was beyond belief.

His Grace next adverted, in terms of severe reprehension, to the expedition against St. Domingo, in which an immense treasure had been expended, and the flower of the British army had fallen victims to a pestilential climate and dire disease. To the defence of the country his Majesty's Ministers were as inattentive as they were wild and misguided in their foreign operations. He dared not tell how few regular infantry there was at this moment in the kingdom; he merely mentioned the circumstance as a warning to the noble Lord (Grenville) how he exposed the country unprotected to the attacks of its enemies. He censured the conduct of Ministers for not increasing the pay of the sailors when the last additional allowance was granted to the soldiers. If he was asked, why he did not mention the expediency of the measure in Parliament at the time? his answer was short: Had he thrown out the hint, all the thanks he would have received would have been an accusation that he was an encourager of mutiny and insurrection. He was at a loss, however, to conceive any reason for the delay which took place between the promise which was made to the seamen by the Lords of the Admiralty and the delay of the execution of their engagement. Upon this ground he had a heavy charge to bring against Ministers, confident as he was, that had the execution of the engagement immediately succeeded the promise, there would not have been a second mutiny on board the fleet. The next point to which he came was one of a very distressing nature, namely, the situation of Ireland. Upon this subject he had but one opinion, which was, that if there was not a complete emancipation of the Catholics, a redress of the grievances of the Protestants, a Parliamentary Reform, and a total change of men, that country would either be involved in civil war, or undergo a revolution, and thus another Republic be added to the list of those which the wise conduct of Ministers had already established in all parts of Europe. And if a Revolution was to take place in Ireland, no man could doubt, but that it would soon be followed by an event of a similar nature in Great-Britain. This was as clear to him as the relation between any effect and its cause. He thought that in this country a Parliamentary Reform might prevent much mischief, and an eminent statesman, (Mr. Fox) in his inimitable argument in

favour of the measure, might have added in support of it the name of Lord Bacon, to those of Montesquieu and Machiavel. Having said thus much upon the state of the country, he put the question to their Lordships, by what means it had been reduced to that situation? Was it not by the conduct of Ministers? And would they trust to these men to extricate them from their difficulties, who had brought them into the dilemma? Did they think, that having descended so low, they had virtue enough to ascend that steep and rugged path which led to restoration and prosperity? He entertained no such opinion. As well might he think that the beautiful earth which they inhabited, and through which the most perfect symmetry prevailed, was formed according to the system of the epicureans, by an infinity of atoms. Ministers had already shewn their total inability to manage the concerns of a great Empire. The confidence which Parliament had placed in them had been betrayed, and for Parliament to continue that confidence in spite of experience, would be to betray the trust vested in it by the country. If the address which had been moved by the noble Duke was rejected, he should have the satisfaction of having done his duty in opposing it. Finding, however, all his efforts to be unavailing, he should not trouble them any longer with his attendance in that House, but should retire to fortify his mind against approaching dangers, and to inculcate upon a large family, of whom he had the honour to be the father, patience and resignation to the lot which might befall them. He reminded their Lordships that it was the most beautiful part of wisdom to acknowledge error, and recommended it to them to meet him upon that ground. He assured them that he felt much greater comfort than all the wealth this world could confer, in the consciousness of having done his duty, in endeavouring to prevent the evil which he foresaw in its consequences would tend to shake the Throne and to subvert the Constitution. He should consider himself as bound to lay before his Sovereign the reasons for his conduct, in that closet where, he was free to declare, never one word had dropped from his lips which did not come from his heart.

Lord Romney said, it was not his intention to have taken any part in the debate, when he came down to the House, but as he differed from the noble Duke in almost every one of the gloomy sentiments he had expressed, and could not agree with any part of the noble Duke's speech, but in his declaration

tion of sincerity when he delivered it, he rose to state the reasons of that difference of opinion. He had a great respect for the noble Duke; he well knew his ability, and duly estimated his experience and his integrity, he owed it therefore to the noble Duke, to the House and to himself that he should not give a silent vote. He lamented exceedingly that such gloomy pictures of the situation should be exhibited by men of great weight with the public, in a moment certainly of great difficulty and danger, but not a moment of despair, and when they ought to give way to despondency; the gloom that too much prevailed without doors was one great cause of our present misfortunes, and every thing said in that House that tended to increase it would rather tend to increase them, than to encourage the people to bear up manfully and like Englishmen against them. He differed totally with the noble Duke as to the effect of the war, and the character he had given of the war itself. Considered as a British war, it had not been unsuccessful or disastrous, but greatly the reverse. The valour of our military both in the army and navy had never been more conspicuously displayed in any war, nor had our arms been more successful. Our allies certainly had not been equally fortunate, but he did not think it candid or fair for noble Lords who opposed Ministers to treat them as if they were responsible for the ill success of our allies. It was true we had been wounded in our vitals, and some very unpleasant circumstances had recently occurred, but was the alarming and melancholy descriptions of the state of affairs they had heard that day, and which some noble Lords too frequently indulged in, likely to cause a more agreeable prospect? There were several parts of the noble Duke's speech, which in his opinion could do no sort of good, but might do much harm. In speaking of Ireland, the noble Duke had said, that if a civil war or a revolution should take place in the sister kingdom, no man could doubt but it would be immediately followed by the same event in this country. He thought the broaching of such a doctrine extremely impolitic, and that it might lead to infinitely more mischief, than he was persuaded the noble Duke had it in his conception, when he delivered such an opinion.

The Address, moved by the noble Duke who brought it forward, appeared to be liable to many objections; and how, he would ask, could any noble Lord bring himself to vote for an Address that applied the expression of "an oppressed country" to the people of Ireland. Was it becoming or conciliatory, or

likely to allay the discontents that prevailed unhappily in the sister kingdom, for any part of the British Legislature to vote an Address to the King stating Ireland to be an *oppressed* country. Surely a moment's reflection would serve to satisfy every noble Lord, that an assertion of that extent avowed by a British House of Parliament, was at once an insult to the independent Legislature of Ireland, and an assumption of fact of which their Lordships had no sort of proof before them. To return, however, to our own more immediate concerns—he did not think that, although our situation was difficult and arduous, it justified the gloomy ideas that the noble Duke had in so serious a manner aimed at impressing on the minds of all who heard him. His declaration that Austria was “just not our enemy,” was not doing justice to that magnanimous and august ally, whose exertions, perseverance, and firmness deserved so much gratitude from this country, and reflected so much honour on the illustrious and heroic personage who wore the Imperial Crown. How did they know, at the moment, that the Emperor was not acting as our ally, and that he would not still, by his conduct, essentially promote the British interest. In short, if our seamen were but true to their King and country, if they did but feel as British seamen always had done, he thought we had little to fear; and even should we be obliged to continue the war, he should not doubt of our navy being able to shew itself superior to those of France, Spain, and Holland united. What had lately happened on board the fleet, he verily believed was owing to French intrigue and French gold; and though it might not be immediately traced, it would one day or other be discovered and proved beyond contradiction. His Lordship said, though he had thrown out his thoughts, he was conscious, in a very desultory way, he had felt it to be his duty to endeavour to dispell the gloomy impression the speeches of the two noble Dukes were calculated to make; and it only remained for him to apologize for having taken up so much of the time of the House, and to declare that, for these reasons he should give his vote against the Address.

The Earl of *Guildford* said, he was not afraid of contradiction when he stated that at no time this assembly was called upon to deliberate in a situation more critical, or upon a question of so great moment. That the country was placed in a situation of distress and calamity beyond all parallel, it was idle to take up time in demonstrating. If there was any who doubted the fact, he called upon them to look to the continent of Europe, and in Portugal; to behold the miserable

ble remnant of a vast and expensive alliance, supported by which we had commenced the war. But the desertion of our allies was not all: we had to contend against a formidable enemy with powers cemented by resistance, and in possession of great and numerous armies, without one spot against which to turn them, except his Majesty's dominions. He called upon them also not to overlook our internal situation, and to recur to the vast pressure of the enormous debt under which the country groaned. But it was needless to distress their Lordships' feelings by enumerating the various instances of calamity which met the eye of the most cursory beholder. The failure of the Bank, which at one time would have been regarded as the greatest misfortune which the country could suffer, was now the least evil which it had to encounter. To the misconduct of Ministers he ascribed the aggregate sum of that calamity. They were now called upon to take some step which might afford a chance of salvation. He beseeched them to make some effort to prove that they were not dead to the feelings of the people, or blind to the situation of the State. The noble Duke had proposed to carry an Address to his Majesty as a preliminary step to any measure by which the salvation of the country could be effected; and in this Address he most heartily concurred. His support he stated to rest upon the following grounds: The first effect which was likely to flow from this Address was immediate Peace; without which there was no hope or chance of salvation. Under the present Administration, was there any man so sanguine as to suppose that peace could be obtained. He should not notice the miserable farces which, under the name of negotiation, had been acted at Basle and Paris, nor the unsuccessful journey of Mr. Hammond to Vienna. But was there a noble Lord in the House, or a man in the country, who did not feel immediately, upon the Emperor's concluding a separate peace, a negotiation should have been opened at Paris for the purpose of securing a peace for this country? If we had nothing but our financial embarrassments to contend with, common prudence would have dictated such a measure. But this was not the most forcible argument upon which it rested. It was unnecessary for him to call the attention of their Lordships to circumstances, in the present state of the country, of greater moment and far more pressing urgency. Besides the effect of immediate peace, the measure would be productive of the most beneficial consequences upon the kingdom at large. Their Lordships were not unacquainted with the present critical situation of Ireland. The great body of those who had been a few years ago friends

to Parliamentary Reform and Catholic Emancipation, were now united with the few, who at that time wished a separation from this country; and a great party, under the name of United Irishmen, were at this moment ready to join any standard under which they could find relief and protection. The dismissal of his Majesty's Ministers would be followed by concessions to the disaffected in that kingdom, which, operating in conjunction with the restoration of peace, would allay discontent, and remove the dread of a separation. The system of Ministers was calculated to produce that unfortunate event, and the delay of peace went in aid of the other measures which they were pursuing. His Lordship next considered the effect of the Address upon the Island of Great Britain. He did not think that the opinions, for the suppression of which we had had gone to war, had lost any ground in the course of the last five years. He did not suppose it would be contended that these opinions had suffered much from the influence either of our arms or our laws. Did they not see, he asked, that revolutionary opinions and revolutionary measures were gaining upon them every hour? Some great change, he ventured to predict, was near at hand. That change, whenever it should happen, or of whatever nature it should be, he trusted would tend to the advantage of the country. Had they really so little discernment to suppose that the people would submit to live under a Constitution without enquiry, which in the course of five months had brought upon them calamities unprecedented in their nature, and incalculable in extent? He was not so unreasonable as to suppose that a war of great and unexampled magnitude could be conducted without a vast expence; but he was unreasonable enough to expect that Parliament should exercise some controul over the expence. He wished to pass no heavier censure upon the Chancellor of the Exchequer than the Chancellor of the Exchequer had passed upon those Ministers who had gone before him. How far that censure extended, their Lordships would see by recurring to the Report of the Committee of Finance in 1782, which he recommended to their perusal. They would there find that Mr. Pitt had made grievous complaints against all the systems of finance which had ever been acted upon, and to which he himself afterwards recurred. They would there find that extraordinaries were called little less than money raised without the consent, and expended without the knowledge of Parliament. They would find in that Report the conduct of the former Administration condemned upon examination, and the conduct of the present condemned in anticipation. He might certainly be considered as a partial advocate, if he undertook
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the defence of the Minister whose conduct was condemned in that Report (Lord North), from his near relation to him, but he must be permitted to say, that that Minister's conduct in the management of finance was to be justified by the systematic practice of all preceding Financiers, while the conduct of the present Ministers was in direct violation of the system of finance, and the principles on which it was established, laid down by himself; and that in regard to extraordinaries, and sums of public money expended without the knowledge or sanction of Parliament, he had infinitely exceeded all that any former Minister before him had ventured to expend. To all the other effects, therefore, which the measure proposed by the noble Duke would produce, would be a correction of the extravagance in blood and treasure, for which the present, beyond all former Administrations, had been distinguished. There was another topic upon which he found himself called upon to say a few words, namely, the expediency of a reform in the representation of the country. He had long differed upon this subject with Gentlemen for whose opinions he had a great respect; and though many of his doubts were removed, and he had by no means the same dread of the plan as some others, he confessed he was not a convert to the measure. He considered it as a remedy weak and ineffectual for the complicated evils of which they had to complain, and therefore he could not recommend it as a cure for the diseased state of the Commonwealth. But though he would not recommend it, he owned he regarded it with less horror than before, and had almost been brought to change his opinion respecting it. Indeed, in the present disastrous circumstances, it became a less consideration in respect to his former view of it, and might be necessary. He beseeched their Lordships, however, to weigh well how they voted on that evening. He beseeched them, if they dissented from the Address, not to be contented with merely negating it. If they approved of the system upon which Ministers had been acting, he beseeched them publicly to announce it, and to say something in their favour. Their cause, he assured them, needed support. He entreated them to declare, if they thought so, that their conduct had been able, upright, and economical, that their alliances had been well chosen, and that the Chancellor of the Exchequer had been right in promising to pay the advances from the Bank to Government, and in breaking his engagement as often as it was made. If, however, they treated this motion with silent contempt, or got rid of it by a simple negative, he should feel it ridiculous to propose any other measure, or to trespass upon their
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their patience with a repetition of, the same proposal, till he had some better prospect of success.

Lord *Auckland* said, that previously to offering such remarks as the general course and tendency of the debate had suggested to him, he must disclaim the discussion of two subjects, which the supporters of the proposed address seemed desirous to bring forwards. He would not be induced to enter into a consideration of the embarrassments of Ireland, or of the means of removing those embarrassments. He would not be persuaded to carry Parliamentary Advice to his Sovereign respecting the Constitution and Government of an independent kingdom, inseparable indeed from us in interests, and (he hoped) in affection; but separated in its legislature and possessing its own Parliament. He would not, as a British Peer, intermeddle with the duties of the Irish Parliament. Such an interference would be highly objectionable. It was a trite but a true phrase, that it could do no good, and might do harm.

The other point into which he must decline entering, was the pretended expediency of a Reform in Parliament. He could not believe those men to be serious, who, in the present conjuncture of affairs talk of a reform of Parliament as a remedy for the national difficulties. At least, if they are serious, he differed from them so radically and so irreconcilably, that it would be a great waste of breath and of time to argue with them. On former occasions of his political life, his sentiments on this subject had had the concurrence and support of his noble friend (Lord Guildford) who spoke last. And though his noble Friend had not on that day expressed his wonted earnestness in the cause, there could be no doubt that the principles intended by him, if brought to the test, would be the same as heretofore, in the steady resistance of charges, sometimes plausible in parts and in their first aspect, but infallibly tending in the present age to the utter subversion of our venerable and excellent Constitution.

Lord *Auckland* proceeded to say, that his object in rising at present was to combat the impressions which the speeches of the two noble Dukes and of the noble Earl were calculated to give to these kingdoms and to all Europe. They had represented their country as brought down "to the lowest ebb of " national distress, by a scandalous waste and lavish profusion;" they had described "her prospects as cheerless abroad and " cheerless at home." The noble Duke who opened the debate had not confined himself to general statements, but had thought proper to argue with some detail, that if the war should close even in the course of the present year, there would be

be a necessity for bringing forwards additional taxes to the amount of three millions annually. As, however, the noble Duke had repeatedly expressed his anxiety to ascertain the *real* state of the country, he surely would be glad to revise the positions which he had tried to establish, and in which he would find great and evident inaccuracies. According to the report of the Committee of 1792, the peace expenditure, previous to the present war, including the annual million to the sinking fund, was estimated at 16,500,000*l*. The noble Duke allowed that the produce of the permanent taxes which existed previous to the war, may be stated at 13,800,000*l*, and the Land and Malt, at 2,750,000*l*. Here, therefore, we have a revenue of 16,550,000*l*. to make good the old peace expenditure of 16,500,000*l*. With regard to the produce of taxes improved during the war, it appeared by the reports of the Finance Committee, now sitting, that such of these taxes as are in full receipt, have produced the whole amount for which they were given. It became, therefore, a fair inference, that in the total of those taxes, after the first year or two, there would not be any material deficiency. The noble Duke, however, had urged, that after the war, there must be an additional peace establishment: perhaps it might be so; though it was impossible, at present, to foresee what may be the situation and interests of this empire on the return of peace. But on the other hand, the noble Duke had made no allowance for the annual East India payment, for the annual produce of the Lottery, and for the probable rise of other branches of revenue, when relieved from the pressure of war. Thus far then it was reasonable to set off one consideration against the other, and to presume that the result of increased income would be adequate to the increased demand. Consequently in the case supposed by the noble Duke, the amount of new taxes was reduced to the amount of interest to be provided for the sum necessary to clear arrears at the close of the war. The noble Duke had stated that sum at fifteen millions, and the taxes for the interest (including one per cent. for the sinking fund) at 1,250,000*l*. a year. That estimate, however, was at the rate of from eight to nine per cent.; whereas in the assumed case of such a loan to be made in a period of peace, six per cent. or 900,000*l*. a year, would have been an ample allowance. And thus the noble Duke's three millions a year might reasonably be reduced upon his own data to one third of that sum. But to what possible use or purpose were such statements brought forwards in the present conjuncture? It had been well and justly observed

The Earl of *Suffolk* expressed his surprise at the silence of Ministers, when matters of so much moment had been brought forward, every one of which was sufficiently important to require an immediate explanation from the King's servants, in order to quiet the minds of their Lordships and the Public, at least, for the present. He rose to put one question to their Lordships, and if he received a satisfactory answer, he should have no occasion to trouble their Lordships, and that was, whether any new system was likely to be pursued respecting Ireland, or whether the system of coercion that had been fatally adopted hitherto, was meant to be persevered in? His Lordship said, he had no other motive for being desirous to be informed on this point, but a sense of the duty which he owed to his King and Country; he had not any estate or personal interest in Ireland, further than his share as an Englishman in the general interest arising from the connection of the two kingdoms, neither had any of his family any estate in Ireland; so anxious, however, was he, from the consciousness of the importance of the Sister Kingdom continuing in close alliance with Great Britain, that if his Majesty's Ministers still obstinately persisted in their silence and would give him no answer to his question, he should then communicate to the House and the Public, the private information, which he had received on the subject, and which was of a serious nature indeed; he would, however, wait to hear, if any answer was to be given to his question.

A pause ensued, and no Peer rising, the "question" was called for, whereupon

The Earl of *Suffolk* again came forwards, and said, he could not suffer the question to go off in that manner, without receiving any information respecting Ireland; since the noble Secretary of State refused to give any answer to his question, he should hold it his duty to read a part of a letter from a respectable character now in Ireland, which he had recently received. The letter which he held in his hand came from an officer on the public service in the Sister Kingdom, a man of acknowledged ability, worth, and talents, Brigadier General Cooke.

Lord *Sydney* expressed a doubt of the propriety of the noble Earl's reading a letter, or part of a letter, from Ireland, relative to its situation in point of danger, which was not written with an express view to be laid before the House.

After a momentary conference with the Duke of *Leeds* and the Marquis of *Lansdown*, the Earl said, he conceived it lay with his own discretion to decide, whether he would read the letter or not, but he had, he believed, an undoubted right to read it, as a part of his speech, if he chose to do so.

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Lord *Grenville* said, undoubtedly.

The Earl of *Suffolk* proceeded to read the letter, which gave a very gloomy account of the state of Ireland, and after stating that there were agents from the Directory of France actually landed, and actively employed in promoting the cause of insurrection and revolt, and that if the sword was once drawn, the writer was convinced all was over, it declared that the Country was in a state of defence, little better than before Christmas, and specified the exact number of troops under the writer's command for the defence of the North.

The Earl of *Westmoreland* immediately rose, and called the noble Lord to order, expressing his strong sense of the impropriety of giving the opinion of a military officer upon the state of the insufficiency of defence of Ireland.

The Earl of *Suffolk* proceeded in the reading of the letter, till he came to a passage, which he said he certainly would not read, as his own mind suggested that it might be improper. He then resumed another part of the letter.

When the Earl of *Westmoreland* again rose, and declared that he was so thoroughly convinced of the impropriety of reading the letter, from the nature of the passages already recited, that if the noble Earl persisted, he would immediately move that the House be cleared.

Lord *Douglas* (Earl of Moreton) contended against the reading of the letter.

A sort of general concurrence was signified, that the letter should no further be proceeded in, whereupon the Earl said, he was far from wishing to persist in reading a letter, which their Lordships were unwilling to hear, but the part that followed was rather calculated to excite hope than despondency.

The Duke of *Leeds* having, just at this point encouraged the reading of the letter which was revolted at, rose to declare, that what had been already read of the letter was infinitely more improper in his opinion, than the mere statement of the number of troops for the defence of the North of Ireland. In fact, the letter ought not to have been suffered to be read at all.

The Marquis of *Lansdown* expressed his surprize that Ministers would not give the public any satisfaction upon subjects so interesting to the country, and that they even carried their disposition to secrecy so far that they put a negative upon information, when it was offered from another quarter. As they had, however, been so forward in suppressing the information, which was honestly and disinterestedly offered by his noble and worthy friend, who had just sat down, he did not consider it presumptuous to expect that they would have the gracious condescension

descention to give what they themselves thought safe to be given. He wished rather to hear than to speak, and he had come down on that day, fondly prepossessed with an idea, that some notice would be given by his Majesty's Ministers, that a negociation had commenced between this country and France, or at least that overtures for a negociation had been made by his Majesty's Ministers. A month had passed since it had been known a separate peace had been entered into between France and Austria, and yet nothing had transpired with respect to peace with this country. Had this been announced he should not have troubled them on the present evening, with what he heard of a person from Italy interfering on behalf of this country. He confessed that he had no other ground for the supposition, than general report, which to a willing mind was often apt to go for more than it was worth. What could retard propositions for negociation, he was utterly at a loss to divine; the original causes of the war no longer existed; we had no longer the opening of the Scheldt to resist; the territory of Savoy no longer formed a topic for deliberation; the fate of the Low Countries, he was afraid, was already decided; deserted by all our allies; we had only our own interest to care for; the cause of the delay, therefore, to him, was utterly inexplicable. Ministers surely could not be absurd enough to be waiting for the mediation of some northern powers, who knew nothing about the settlements which were to be the subject of discussion between this country and France; besides, in nine cases out of ten, these mediations tended rather to retard than accelerate the object to which they were directed. Allies, now we had none! God knows we had had enough of them! He was a good deal surprised to hear a noble and truly respectable Lord (Lord Romney) say, that Austria might still be our ally. He trusted that Ministers had not the madness to attempt to make Austria renew the contest. He reminded their Lordships of the bad faith of the allies with which we had acted before, notwithstanding the firm persuasion expressed by his Majesty's Ministers of their undoubted honour and sincerity; he remembered its having been stated, that it was quite impossible for the king of Sardinia to desert us. He was told also that the Ministers of his Prussian Majesty were the best and most honourable Ministers in Europe! when he had talked of a subsidy being sent to the king of Prussia, Ministers exclaimed, "subsidy! Do you call it a subsidy? It is a cheap economical contract." They had had plenty of contracts of this nature; whether it was a cheap one or not he could not say; perhaps it was more economical than some of those which had been entered into in

in St. Domingo. Austria, our faithful ally, had also deserted us. It might be said, "it is an ill wind that blows nobody good," and that as we have hitherto been sending money out of the country we may now expect that it will return. He expected to hear that the Bank of Vienna, that Bank whose solidity was so highly extolled, upon the return of peace would have resumed its payments, and that not only the interest of the money we have lent to the Emperor will be punctually paid, but that the capital will be gradually liquidated. "Not one word says the noble Secretary to this," exclaimed the Marquis. "I see he smiles, however. It is really good fun! A jolly piece of business! An excellent joke! Well he may laugh at having so dexterously cheated the country out of six millions of money, and the country deserves to be cheated while they submit to be taxed in wind and in air without one murmur against the authors of the oppression." As to the prospects of peace, he observed, that he had the sin upon his head of believing that the French Government were always inclined to pacification, and he recommended it to his Majesty's Ministers to make a open unreserved declaration, stating their inclination to enter into negotiation, which, if it served no other purpose, would at least solve a problem which never yet has been solved, namely what we are fighting for? It had been said, should this country be tricked into a peace, he would answer, that other powers had been tricked into it, and had left us to carry on the war alone. He maintained it would be wise in this country to tell the French nation that peace was of importance to us; it was of consequence to know whether the French were disposed to yield to moderate terms of peace, in order, that on the contrary, we might arm with determined vigour, and oppose the enemy with enthusiasm; and in order that after a contest of four years, in which we have been abandoned by every one of our allies, we should at last know, as he had before said, what we were fighting for. He deprecated that system of mystery which had been assumed with regard to the sailors. Not having been in town when the affair of the discontents of the seamen broke out, he might avoid saying any thing on that subject, but he owned that had he been in the House when the discontents on board the fleet first came under public discussion, he should have spoken his opinion freely upon them, and even have gone farther than a noble Duke, who had been censured for rashness upon the occasion. He was of opinion still that the matter should undergo Parliamentary investigation,

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in order that the real cause of the calamity should be ascertained. If the moment a question had been asked by Parliament on the subject it had been fairly answered by Ministers, the circumstances which had occurred might have been avoided. Mystery always produced doubt and distrust. It was a maxim he had ever taught his children, whenever they got into a scrape, to tell the truth; it was a charm that would always extricate them. Disinterestedness was peculiarly the character of seamen, and they should have dealt with them upon that principle. Parliament had a right to examine and know every circumstance respecting the disorders which had taken place, there were various reports in circulation respecting them, and it was therefore due to the officers of the navy, to the admiralty, and to the sailors, that an examination of the causes, which had produced such disturbances, should take place. He alluded to a proposition which he had made two years ago, in which he had stated the necessity of some alteration in the navy; and with respect to the army, the commissioners of accounts had stated to the House, that the mode of their pay was so complicated, so replete with mystery and fraud, as to call aloud for some regulation. As to French gold having been at the bottom of the revolt of the sailors, as suggested by a noble Lord (Lord Romney) he could not credit the idea. British seamen were too open, too honest and too disinterested to warrant the suggestion. Loyalty was the chief feature in the character of that valuable class of men, and they carried it so far, that it was notoriously the first and most essential ingredient of their toasts, their songs, and their merriment. They of course could not be easily led to entertain doubts of the sincerity of his Majesty's Ministers with respect to the concessions they demanded, were they not in a certain degree warranted by the dilatory conduct of Government on that very important occasion, and by the want of publicity and dispatch, to give them satisfaction. He was justified in declaring on the authority of the ablest and most enlightened men in Ireland, that that country was then placed in a situation of the most imminent danger. He had in his pocket the resolutions lately entered into on that interesting subject by the Gentlemen of the bar of Dublin, than whom there did not any where exist a more impartial, more independent, or a more enlightened set of men. It was not yet published in this country, and though he should not now trespass on their Lordships by a perusal of it, he would earnestly recommend it to their serious attention, hoping that their Lordships would read it

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over again and again. They stated, in the most energetic and admirable language, the vast perils to which that oppressed nation was subjected. Since he had alluded to these resolutions, he was concerned to find that a noble Duke (the Duke of Portland) was not then in his place, as he might, from having the subject of the resolutions recommended to his consideration, reap considerable benefit from attending to them. But perhaps the noble Duke was employed in a more interesting manner. It was not improbable but he might be then engaged in settling the parish rates of Mary-le-bonne, or in speculating on the probable advantages arising from a revolution, on the same principles of profit, as those by which his Dutch ancestors acquired their possessions. He could not, he was convinced, express in a manner too forcible, the dangers likely to rise from the measures pursued by his Majesty's Ministers with respect to Ireland. They were evidently laying the rooted principle of animosity between both kingdoms, by sending over troops thither; and after what had taken place in Ireland, there was no security even for what might take place in this country; the dissenters of this country he knew were loyal and prudent; but whenever English or Irish blood was drawn, who could answer for the manner in which it might affect their minds. He was sure measures were now adopting of the most dangerous nature. The sending over to Ireland fencibles and officers of rank to bathe their swords in blood, God knew what might be the consequence. The Marquis recommended to his Majesty's Ministers the advice given by Mr. Neckar, to kings on the subject of coercion. That wise statesman whose experience in one of the severest schools of adversity ever entered, made what he said of great authority, strongly advised them not to provoke the people; to avoid, with the utmost caution, coercion of every kind, and to adopt conciliatory measures, even in cases of the most pressing nature, as the most effectual means to make their subjects comply with their just views, and reconcile them to a state of peace and tranquillity. Buonaparte had unquestionably been the most formidable enemy this country had to contend with. That celebrated General had over-run a vast extent of country, and reduced upwards of two millions of people, and who had been the cause of those successes? Certainly the noble Lord (Lord Grenville) who had provoked hostilities, and who by the same mode of reasoning, had even out done Buonaparte; for the French had, by his friendly assistance, not only added to their possessions three times the extent of territory acquired by Buonaparte, but

had also experienced an increase of three times the number of their population. The noble Lord might, therefore be justly entitled to have a statue erected to him in the Pantheon, for achievements in favour of the French Republic, and Buonaparte himself could not be supposed to envy such a measure, to the merit of which he was bound both as a friend to his country, and an admirer of heroism, to subscribe.

Lord *Romney* rose to explain; declaring he wished to stand well in the opinion of the noble Marquis. In expressing a hope that Austria might still prove our ally, he did not, he said, mean that he hoped Austria would renew the war with France, but that in her negotiations with that power, she would serve this country by laying the ground for a general peace, and in regard to what he had said, of French gold having been at the bottom of the discontents of the seamen, he had not meant to insinuate that British sailors had been bribed by the French, and by that means excited to mutiny, but that French gold had caused the agents and emissaries of that power to poison the minds of our brave tars, and fill them with unjust prejudices and discontents.

The Duke of *Grafton* said, that he meant explicitly to declare it as his opinion, that the present Ministers could not longer continue in office without imminent danger to the country. His gloom of mind and his suspicions of their designs began with the present war, and had been continued through all its progress. It was now come to the crisis of the country, and he thought that the Crown, as well as the people, could only be saved by their retirement, with which his gloom would cease.

Lord *Grenville* rose, and said, that in the postscript to the speech of the noble Duke, the real jet and object of the question had come out. It was a personal attack upon the King's Ministers, by a set of men, who fancied that they were better qualified to fill their places, and who wished to introduce their new-fangled system on the ruin of the British constitution. He declared his conviction, that the melancholy tone of distress which was imputed to the country began and ended with the noble Lords who supported the motion. He had particularly forbore to enter into the consideration of the question, that other persons less immediately interested might decide on the merits of it, rather than that he himself should be forced to enter into a justification of his own conduct, and of those with whom he had the honour to co-operate. He would candidly admit that were the question to be carried in the affirmative,

firmative, it would give him the most serious and heartfelt concern. To be deprived of the power of rendering every service within the scope of his abilities, both to his country and to his most gracious master, who was amply entitled to his best exertions, in a moment of great and unexampled difficulty, would indeed be the heaviest misfortune he could possibly experience. He therefore entertained the most sanguine hopes that the question would be negatived, not certainly on account of any regard or solicitude as to his own personal views or case, for the present time was not fit for such considerations; but that he might remain in a situation that would enable him to give his hearty and efficient support to the measures of the Executive Government for the benefit and happiness of the community. To be an indifferent spectator, would have been truly an afflicting thought to him, but to be an active sharer at a crisis of such magnitude and moment, would operate on his mind as a most consoling and satisfactory reflection. If in fact, his Majesty's Ministers had ever opposed those noxious political principles which aimed at the subversion of all regular governments, they were at the present moment more urgently called upon to continue with additional alacrity and firmness that constitutional opposition. He flattered himself that in either point of view, whether in the consideration of the principles that his Majesty's Ministers had maintained, or from the conviction that they had acted conscientiously and honestly in the best hope of serving the country, the House would give them that support, with which they had hitherto been accustomed to honour them. Since he had been thus induced to offer himself to their Lordships attention, he should make a few remarks on what had passed in the course of the debate. On the question the happiness of millions, the existence of the country, and every thing that made the country valuable depended. The noble Duke, in deploring the calamities of the present war, and in enumerating the distresses produced by it, had merely stated arguments which would apply with equal force against the prosecution of any war whatever. Such a mode of reasoning might, on principles of a similar nature, go against the system of warfare altogether, however just, however called for by the most imperious necessity. But did the noble Duke's argument apply to the present war, which had not only been commenced on the absolute ground of necessity, but had been approved of by a vast ma-

majority of the country, and prosecuted through all its various stages with the concurring and most decisive approbation of Parliament? He believed, that the noble Duke was the first man that ever proceeded to move any vote of censure against Ministers without giving them some previous notice of it. But he had chosen to act a part peculiar to himself alone, and had thought proper to ground his accusation on the excess of expences, which, from the nature of them, it was totally impossible to foresee or to provide for by certain estimates. With respect to the subsidies made to Prussia, on which a noble Marquis (the Marquis of Lansdown) had been pointedly severe, he should merely observe, that without any allusion to the various benefits that might be derived from that measure, there was one in which men the most opposite in political sentiments could scarcely think differently, and that consisted in its being the best mode of hiring troops for the public service.

With respect to our alliance with Austria, could the noble Marquis contend that we had not by the wisdom of that proceeding, gained great and successive advantages to the real interests of the nation? The noble Lords considered it as a settled point, that the removal of Ministers would be grateful to the public mind; but would they also affirm, that it would be equally grateful to the public mind, if they themselves were to occupy the place of administration? The conduct of his Majesty's Ministers had succeeded in preventing that anarchy to which the language of those who opposed them strongly tended. He had, for his own part, often heard, that revolutionary ideas and principles had made a considerable progress in the country, but to what bold lengths they extended, he had until that night little conception. He could no longer disbelieve it, since the noble Earl (Lord Guildford) told them in a style of such impressive authority, that revolutionary principles were gaining ground every day, and that great and awful changes were about to take place. What he would ask was the conduct of the same noble Lords with respect to the present situation of Ireland? They rashly proposed a direct interference in the internal concerns of that kingdom, after a most unqualified recognition of its independence. If their Lordships had a right to interfere in any case, that case could only consist in an interference to protect and maintain the rights of his Majesty, and of the Parliament of Ireland, and if the Government here had been
able

able to send any force for the purpose of saving Ireland from confusion, rapine, and desolation, such a conduct was, in his opinion, a fresh cause for unity and amity between both nations.

A noble Marquis had, in the warmth of expression, called Ireland an oppressed country. But what was the nature of that oppression? Was it oppression in the mind of the noble Marquis, to suffer the Legislature of that country to make laws for itself? It was indeed a very strange topic to bring forward, after all the various arguments which had occurred on it, and after all the experience which their Lordships must have had respecting the nature of it. But that was not all—the noble Marquis professed to talk of conciliation, and seemed desirous to have it considered as his favourite theme, yet while he dealt in professions he in reality sought out with uncommon industry every principle of latent evil, and shewed his rooted desire to frustrate the great end of conciliation. When, therefore, he considered the present situation of public affairs, and turned his thoughts to all the consequences likely to result from a base and servile compliance with the leading doctrines of the day, he should boldly say, that his Majesty's Ministers would not tamely desert that honourable post which they had hitherto filled, by directing all their efforts to the preservation of the Constitution, and the permanent happiness of the people. He should think it extremely unfit for him to draw a comparison between his own capacity and that of any of the noble Lords who uniformly opposed his Majesty's Ministers, but on the ground of zeal for the real interests of the State, and of a decided and unalterable resolution to oppose by the most unwearied exertions, and the most vigorous efforts, those principles which struck at the very existence of the Constitution, and which went to the establishment of anarchy; he would maintain that he was inferior to none. A reform of Parliament was a chief measure proposed by noble Lords, and to that measure he should give a plain answer. He had ever opposed that innovation as a complete alteration of the Constitution. To some noble Lords who appeared strongly to hold forth its necessity, he would calmly appeal to their own minds, whether in the first place any two persons were agreed as to the plan? And secondly, if they were so, whether that plan could be carried into effect without any thing further being pursued? For his part he was so convinced of the danger of innovation, that he knew what commenced with
reform,

reform, concluded with revolution. He had even opposed a temperate reform, but that offered for discussion was above all others peculiarly objectionable. It went to pluck up by the roots every right planted by the Constitution—it went to destroy the most essential principles of liberty and property—it went to disfranchise a corporation, to destroy chartered rights, to establish districts, or to characterize them more properly, departments, throughout the whole country, and as one member could only represent one department, it went to change every election over the kingdom into the nature of a Westminster election, with the benefits of which every one of their Lordships was necessarily acquainted. At this moment said his Lordship, it is the duty of every member of each House, instead of weakening the hands of Government by ill timed motions, to rally round the Throne, to give additional strength to the Executive Power, and by an example at once dutiful and glorious, support that Constitution, which has been framed by our ancestors, and which we are bound to transmit unaltered to our latest posterity. Speculation, observed his Lordship, was sure to open the way to the horrors of Revolution, and who can stop the torrent when once it bursts? The reform proposed would destroy every Corporation in the country, would be the ruin of every establishment, would have a tendency to divide the country in districts and departments, and in short introduce all the anarchy of an unqualified, and furious democracy. His Lordship observed that the present mode of voting gave by some means or other an influence at elections to every man; but that universal suffrage would destroy itself. Parliament, he would again and again contend, did not possess so unlimited, so extraordinary a power, as to authorize such a reform. Lord Grenville concluded by entreating their Lordship to reflect, that if they once opened the flood-gate to innovation, the torrent of anarchy would spread so forcibly and so wide, that it would not be in the power of their Lordships, by opposing their feeble hands as a barrier to destruction, to prevent the Constitution from being overwhelmed in general ruin. From the levity displayed by the noble Marquis in the early part of his speech, and by his even condescending to mimicry, he said, he had been led to think that the noble Marquis designed to cheer the minds of their Lordships by acting a farce after the deep tragedy that had been exhibited by the noble Duke, who spoke before him (the Duke of Grafton) but the serious and alarming manner

manner in which the noble Marquis immediately afterwards treated several of the most delicate and dangerous topics ever touched on in debate, soon dissipated the smiles his ludicrous manner had excited.

The Marquis of *Lansdown* rose to explain, and said he had forgot the question of reform in his first speech; he had been a friend to the measure since even before the noble Duke (Bedford) was born, and he was happy to leave it in such hands as those of his Grace and of a respectable member for one of the Universities in the other House (Sir W. Dolben) who had lately been made a convert. He applauded Mr. Grey's motives and manner of proposing his plan; but he was of opinion, that any thing else than a gradual reform would be dangerous, and he therefore wished reform to be made while it could be done gradually, and not to delay its necessity till it would burst all bounds. On this point, the Marquis again particularly recommended a wise book, just published on the French Revolution, by M. Neckar, who gave his opinion, that if the King of France had conceded in time, the Revolution would not have taken place; but the French Court, like the English Cabinet refused making popular reforms till it was too late.

The Duke of *Leeds* rose to repel the idea that the existence of the Constitution was inseparably connected with the continuance of the present Ministry in power. The Constitution, he hoped and believed, depended on itself alone, that with regard to its permanency it was almost equally indifferent who held the reins of administration. His Majesty's Ministers had certainly been unfortunate, to say no more of it, in the conduct and consequences of the war, but he still gave them credit for their intentions. He verily believed they meant for the best, and that in various instances, adverse circumstances which they could neither foresee nor controul, had intervened and soured the public mind. There was surely a wide distinction between misfortune and incapacity, and candour required that this distinction should ever be held in mind. A noble Marquis had said, that the statue of the noble Secretary of State was entitled to be placed in the Pantheon of Paris, as a companion to the statue of Buonaparte. There certainly was some merit as well as some justness in the observation, but the noble Marquis would, he hoped, allow, that room ought to be made for the statues of the opposition, as representatives of public men, who at least equally conducted to promote the interests of France. The Duke took
notice

notice of the distinction to be drawn between those who opposed particular measures and upon principle, and those who uniformly were in opposition to every administration. He mentioned having himself been in Opposition once, when a member of the House of Commons, and he learnt as that time, that the motives of every man in opposition were not always to be justified; necessity "makes men acquainted with strange bedfellows," as Trinculo says of misery in the *Tempest*, when he covers himself from the storm by hiding under Caliban's gazerdine. He then formed one in a very mixed circle, and acquired some political intelligence which he should not easily forget. That the war was provoked, and was therefore just and necessary he had always conceived; that it was ill-conducted, he was sorry to say, he felt but too much reason to assert. A cause of the misfortunes of the country had been prevalent which had never been mentioned, and the very naming of it would, he was aware, appear singular. It was that "sentiment" was the ground of proceeding. He knew it was an odd use of the term, and perhaps the first time that sentiment ever was supposed to be the cause of such serious mischief. With regard to the idea of Parliamentary Reform, he had ever considered it as a most dangerous remedy to resort to. It was a popular theme easily to be theoretically expatiated on, but difficult indeed to be practically put in execution. From the commencement of his political life, while a Member of the House of Commons, he had uniformly opposed every proposition of that tendency, from a conviction of its impracticability; and, not having yet abandoned his opinions, he deprecated every proposition that tended to a change in popular representation. His Lordship then said, that he gave Ministers ample credit for their intentions, though they had been extremely unfortunate in the effect of their measures, but that he could not agree to give his vote for the Address, and wished his Majesty's Ministers would permit him to move the previous question:

Lord Grenville rose to explain, and said, he perfectly agreed with the noble Duke that the Constitution by no means depended on this or that set of men being in Administration. He never had entertained such an opinion, much less asserted it in argument. He had only declared, that it would be painful indeed to his mind, at a moment so arduous and so critical as the present, to be prevented from exerting every faculty he had in the service of his gracious Master. Thank God! the preservation of the Constitution did not rest upon any such point, as the consideration of who was or who was not in the King's service; abstracted equally from those who had now the honour

to advise his Majesty, and those who stood forward as their immediate and inveterate opponents, there were, doubtless, many men in the two Houses of Parliament of great wisdom, great virtue, and great abilities, fully equal to the task, and who would discharge it with unquestionable fidelity and the utmost integrity. He could only say, that no men placed in the situation which he and his colleagues had the honour to fill, could discharge their duty with more zeal; and if a new system of Government was to be introduced which had been recommended by the noble Duke and the noble Marquis, every thing dangerous to the Constitution and the country was to be apprehended.

Lord *Rawdon* (Earl of *Moir*) said, if the noble Secretary of State had not given the explanation the House had just heard, he should have drawn the same conclusion that the noble Duke had done, and have understood the noble Secretary of State to have identified the existence of the Constitution with the existence of the present Administration; for to his conception, at least, in the noble Lord's former speech, he did say something that sounded very like an assertion that the Government of the country and the present Ministers must stand or fall together: an assertion as arrogant and presumptuous as it was unwarrantable and unfounded. Nor could he admit that the King's servants had a right to take credit for that prosperity antecedent to the war, which indisputably arose from the energy and enterprise of our merchants, which in favourable times would even give vigour to our commerce, and which could only fail when cramped by the perverse conduct of Ministers. The noble Secretary of State complained of the motion as inflicting a heavy censure and penalty on Ministers; it was meant in that view, since Ministers had incurred a heavy penalty by the subversion of our credit, the disappointment of our hopes, and the failure of every object, with the attainment of which they had flattered themselves and the country. The noble Secretary of State opposed the motion on the ground that, if it were acceded to, the Constitution would probably be overturned. He would ever object to that mode of argument; it went to identify Ministers with the Constitution, to sink the confidence of the country in its own resources, and in the frame and form of its Government; an argument both fallacious and pernicious, because, if it prevailed, all our present evils and disasters would be attributed not to Ministers but to Government. With regard to the war, he declared he had from its origin disapproved of it; but finding that his country had engaged in it, he thought it his duty to offer his services, and every assistance in his power. He had done so, but he

could not but think the war had been grossly misconducted. If instead of employing those two gallant officers, Sir Charles Grey and Sir John Jervis, with so many troops in the West-Indies, they had been sent to assist the Royalists in La Vendee, the fate of the war might have been very different, and the country have long since been in possession of the blessings of peace. With respect to Ireland, of which he would speak with caution, the number of those in that kingdom who wished for a separation from Great-Britain were few indeed, but very different measures from those of coercion were necessary to conciliate the discontented of other descriptions. That the Catholics were well inclined was evident from the display of their loyalty when the French fleet visited Bantry Bay. And what was the return? After openly acknowledging their zeal, their attachment, and their public spirit, the Minister for Ireland almost immediately came to the House of Commons and roundly told them, that they were to expect no favour, for none would be granted them. His Lordship expatiated on the ill policy of such conduct, and asked, if it was in human nature to sit down quietly under such treatment? In order to conciliate the different parties in Ireland, half measures would be of no avail; there was but one method to be taken: to grant the Roman Catholics the extent of their demands, which they had been led to expect, with an openness and simplicity calculated to satisfy their minds, and prevent the possibility of suspicion of delusion, and to quiet the discontents of the Protestants with a moderate Parliamentary Reform. The noble Baron (Lord Auckland) seemed, by the easy way in which he treated of the posture of affairs in Ireland, to see nothing but a rose and pink-coloured prospect, like the Elysian Fields, as represented at the Opera House; but he assured their Lordships that the scene now in progress in Ireland was of a much more serious nature, and if not counteracted by timely and manly concession on the part of Government, might be, in a manner, fatal to the British Empire.

Earl Spencer objected to the motion on the same ground with Lord Grenville, because it was connected in its object with a change of measures which, he firmly believed, would prove ruinous to the country. With regard to the conduct of the war, if the noble Lord's idea of dedicating our chief efforts to La Vendee was to have been followed, no support or protection could have been afforded to the West-Indies. If it were true that our situation was dangerous, and that awful changes were at hand, as a noble Earl (Lord Guildford) had predicted, it behoved every one to come to a rallying point, and stand

by

by the established Constitution of the country. The tendency of the noble Duke's motion, so far from obviating existing difficulties, would, in his opinion, hasten the ruin of the country. He lamented that the affair of the seamen had been mentioned again. Whatever the noble Duke (Bedford) might imagine, he could assure him, that his indiscreet mention of the subject in that House on a former day, and the misrepresentation of it, had done infinite mischief. It was a matter that, in his mind, ought to rest with the Executive Government, who were, as they ought to be, responsible for their conduct. In fact, it was one of those questions which ought not to come before Parliament, though undoubtedly occasions might arise when his Majesty's Ministers might be obliged to come to Parliament to justify strong measures, upon which exigency he trusted that all party feelings would be laid aside, and that they would only look to the maintenance of the dearest interests of the country.

Lord *Darnley* believed the noble Secretary of State was mistaken in his idea that his Majesty's Ministers possessed the confidence of the people in the same degree that they did formerly. He was afraid that was not the case; but at the same time he could not flatter Opposition so much as to say, that they had obtained the confidence of the people. The fact, he really thought, was, that the public had more confidence in Ministers than in the present Opposition, whose uniform and invariable objection to every one measure of Government, proving that they acted more on party motives than principle, disgusted the country; and of two evils they chose the least, and were willing to give Ministers the preference. With regard to Ireland, he was afraid that the situation of affairs there had changed for the worse, since he last addressed their Lordships on the subject; a circumstance which he thought might not unfairly be imputed to the unguarded and inflammatory speeches delivered in that House. His Lordship said, though Ministers had been extremely unfortunate, he could not therefore consider them as criminal, and on that ground should vote against the Address.

The Duke of *Bedford* said, he had told their Lordships that he did not mean to claim the privilege of replying, unless he found it necessary, in consequence of misrepresentation or misstatement. He had both to complain of. The noble Lord who had undertaken to answer what he had said respecting the three millions which would be to be raised on winding up of the war (Lord *Auckland*), had not spoken with the same accuracy which he usually displayed when treating on subjects of finance. He had supposed him to have taken the interest

of the principal at nine per cent. and afterwards correcting himself at eight and a half per cent, whereas, in fact, he had taken it at neither one nor the other, but at a little more than eight per cent. The noble Lord also had mistated him, he did not suppose wilfully, in other financial points. With regard to what had fallen from the Secretary of State, he had chosen not merely to make it a personal question, but had with great modesty declared that the salvation of the country depended on the present Ministers continuance in place! he should leave this declaration to its own merits; but when the noble Lord presumed to say that they were desirous to take the places of Ministers; and that the persons with whom he acted thought themselves alone qualified to fill the offices of Government, the Secretary of State took upon him to make an insinuation not warranted by any thing that he had said. He had not harboured a notion so vain or so unconstitutional. He left sentiments so overweening to other persons. He was well aware that there were numberless men of distinguished ability, virtue, and integrity in the country capable of discharging the duties of Ministers with advantage to the interests of the people, and with great credit to themselves. As to himself, nothing that he had ever said justified the noble Secretary in the idea that he wished to fill the place of his Majesty's present Ministers, or indeed any place whatever. It was the pride of his life to have acted with his friends, whom he certainly thought men of very great and tried talents and integrity. But that was no insinuation that they were the only fit persons to be called forth by his Majesty and the people in an hour so trying. Of one thing only would he speak with confidence, and that was, that from the bottom of his heart he believed that the country could not be saved if the present men continued but a very short time longer in place. He replied to the arguments of the noble Secretary against Parliamentary Reform. He said, the plan introduced by his honourable Friend (Mr. Grey) had his perfect approbation. The noble Secretary had said, that there were fundamental rights of the people which the Parliament could not take away. They could not reform the abuses of the representation. What, not after passing the two acts, of which he would continue to speak as he had done before, acts which repealed, in fact, the Bill of Rights, and struck at some of the most undoubted and valuable privileges of the people?

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The *Lord Chancellor* left the woolfack, and said, he certainly did not mean, at that late hour of the night, to trespass upon their Lordships time by any long speech, but merely to offer a remark or two in a few words, which he thought well worthy their Lordships attention; and the first was, that the arguments of the noble Duke and his motion directly contradicted each other. A slight comparison of the motion with the noble Duke's reasoning, would convince their Lordships of the truth of this assertion. The motion, couched in language coarse and ordinary enough, sets off with declaring, "that his dutiful and loyal subjects, the Lords Spiritual and Temporal, in Parliament assembled, had, during this calamitous war, uniformly given every aid and assistance that could contribute to that support which his Majesty has experienced from a brave and a loyal people." It then proceeds to enumerate the grievances which it asserts the people labour under, describing them by name, and in the next paragraph declares, "that they cannot attribute this uniform succession of misfortune to accident, or even to the miserable incapacity of his Majesty's servants, but that they must regard it as the effect of a *system of Government*, destructive of the exertion and hostile to the Constitution of the country." Their Lordships had heard the noble Duke's arguments which applied personally to Ministers, and tended to establish a proof of the charge of that "miserable incapacity" in Ministers, which the motion more than once imputed, but at the same time asserted, that it was not to that "miserable incapacity," but to the effect of a system of Government, destructive of the exertions, and hostile to the Constitution of the country, that all the misfortunes of the war were to be attributed. What, however, was this system of Government so much complained of? Was it to be imputed as matter of crimination in Ministers that the Parliament of Ireland was permitted to judge for itself what was fit to be done for that country? That they did not attempt to interfere with the independence of the Irish Legislature, and to violate a solemn compact made with the people of that country? From other parts of the motion it was evident that a change in the system, under the pretext of forwarding a Parliamentary Reform, was the great object; that it led to a system wilder than even that of universal suffrage, which went to disfranchise all corporations, to empower the House of Commons to uncreate their creators, and to disfranchise those

those who sent the Members to Parliament. If this sort of reform would at one sweep annihilate all lay corporations, ecclesiastical corporations would be gone of course. The term *freeholder* had hitherto been the pride of the best part of the nation, but by the plan proposed, this was to give way to the more favourite term of pot-boilers; they were expected to cut up by the roots whatever entered into the nature of franchise property, privilege, and to introduce in its stead the principle of an Agrarian law. But it was said, "we do not take away any man's right of voting, but only extend it to others who are now without." He asked how the noble Duke would like the application of this doctrine to his own estates? If they were taken away from him, and an equal right given to every pot-boiler in his village in common with himself? Would it satisfy the noble Duke to have it said, it is true we took away your estate, but we give it back again. We give you as much land to possess as any man can reasonably desire to possess, and as to the estate, we only let in the pot-boilers and cottagers in the vicinage to share it with you. Or to illustrate it with respect to the livery of London, would it be satisfactory to them to be told that they still would enjoy their rights and franchises as liverymen, and the only difference was, that every pot-boiler in London would enjoy the same with them. He would remind the noble Duke, and others, what happened in France in the years 1789 and 1790; there, those who were foremost in revolutionizing the country, fell amongst the first victims of the maxims and prejudices which they had laboured to infuse. He entreated noble Lords, therefore, to pause; and, viewing the avowed tendency of the motion, to introduce not merely a change of men but of system, and eventually of Constitution, he doubted not they would agree with him in giving it their decided negative.

The Duke of *Bedford*, after an observation on the uncandid proceeding of speaking after his reply, refuted the interpretations put by the learned Lord on the plan of Reform, and on the fallacy of comparing the elective franchise, a right possessed by individuals for the good of the whole, to private property. Did the noble Lord consider votes as private property, because they were bought and sold? It was a right which so far from being injured by being extended, would be improved, since extension would make it effectual; but whatever objections there might be to the Bill, they were no arguments against its introduction,

duction, since it was meant to print it, and leave it open for discussion till next year.

The House divided on the previous question.

<i>Contents, (for the Address)</i>	12	<i>Not Contents,</i>	65
<i>Proxies,</i>	2	<i>Proxies,</i>	26
	14		91

The noble Duke then entered a Protest.

HOUSE OF COMMONS.

TUESDAY, MAY 30

Mr. *Tierney* presented a Petition from the House-holders of Boston, praying for a Reform in the Representation of the People, and that the plan of arming the Householders should be adopted for the defence of the country.

The Petition was read and ordered to lie upon the table.

Mr. *Parker Coke* moved that the House should resolve itself into a Committee on the Corporation Jurisdiction Bill on Thursday next.

Major *Ellford* moved, as an amendment, that the Bill should be committed on this day three months.

The House divided on the original question.

<i>Ayes,</i>	59
<i>Noes,</i>	21
<i>Majority,</i>	38

NEW BANK OF ENGLAND.

Sir *William Pulteney* premised, that were he capable of employing any ornament on the subject he had to treat, it was of such a nature as would scarcely admit of it. It was however a matter of most extreme importance, and if the House saw any thing worthy of attention in what he had to propose, they would give it their assent, if not, he would content himself with having discharged his duty. He then proceeded to state the history of the late failure of the Bank. On the 27th of February an Order of Council was issued, prohibiting the payment of specie at the Bank, with which the Directors thought proper to comply. A Committee of the House was then formed to enquire into the causes of the Order of Council, and make two Reports, into the particulars of which he did not mean to enter. The consequence of this was, that an Act of Parliament was passed to confirm and continue the effect of that Order of Council, and give the Bank time to make such arrangements as may enable them to renew the course of payment. The period when the suspension of payment shall cease, was fixed for the

the 24th of June, but Parliament had reserved, in a clause of the Act, the power of shortening or extending that payment. The Bank of England was by these means completely exonerated of all blame, for having suspended the payment of their notes. Associations were at the same time formed for giving circulation to their notes, and the effect was, that the credit of them still continued as before. After obtaining the authority of Parliament, the Bank enlarged to a very great extent the discounts which they before contracted, but were in some time sensible of the necessity of limiting them again. Since that period, however, the Minister had contracted a loan on very bad terms, selling consols at 48, and giving also a considerable premium to the subscribers: but his having been able to conclude a loan at all under such circumstances, was no inconsiderable proof of the general wealth of the country. Much inconvenience, however, and much loss was felt by individuals on account of the great discount upon Government securities, and the delays that took place in most of the public payments. The measures that had already been taken were, after all, of no more than a temporary nature, which may have a good effect for some time; but if some more decisive and effectual remedy was not applied, the disorders must inevitably end in convulsion and disaster. It was in vain to suppose that public credit and confidence would revive with the arrival of Peace, as a considerable interval must elapse before such an effect could be produced. In the last year of the American war, Lord North concluded a loan upon very disadvantageous terms; but after the Peace in 1782, Lord John Cavendish was compelled to make one upon terms still more disadvantageous. The same must always be the case; for on the return of Peace, Commerce and Manufactures revive, and, in order to support them, produce a vast demand for ready money, which the war has already rendered scarce. It was therefore wise to take the necessary precautions in time, and the remedy he had to propose was the establishment of another Bank. The monopoly of the Bank of England was an obstacle in the way of his proposal, as its charter did not expire till 1812, and the Company took care always to get their Charter renewed a considerable time before the period for its expiration. He would not at present go so far as to say, that their stoppage in the first instance was a violation of that Charter, though considerable doubts were entertained upon that subject. But if they should not be enabled to open for payment on the 24th of June, there could be no ground for continuing their monopoly any longer.

If they should at that time open for the payment of money, then his plan could do no harm; it would fall to the ground, and no second Bank be established. He confessed, however, that he wished another Bank to be instituted at all events, as it would aid the operations of the old Bank, and enable persons to discharge their debts to it. The Directors of the Bank of England had always been men of considerable fortunes, and he would also propose a certain sum necessary as a qualification for a Director of the new Bank, and also a limitation at a fixed point of the number of votes which the quantity of money should confer. But above all, he would provide that it should be totally exempted from any interference on the part of Government. That was a connexion to which it must be a stranger. Speaking of the monopoly of the Bank of England, he asserted that it was on the whole a bad thing, injurious to the Stockholders and dangerous to the Public and to Government. The East India Company could not have retained their charter, if their affairs had not been pretty well administered; but it was at the same time observable, that the part of their trade, which was not under the monopoly, was much more prosperous than that part of it which was in such a situation. Scotland had two Banks, and the affairs of the old one were much more prosperous since the establishment of the new, though all the arguments were previously opposed to it which could be urged against a new Bank of England on the present occasion. If then two Banks were found to have a beneficial effect in Scotland, he saw no reason to distrust, that advantages still more important would result from a similar competition here. There could be no fear of a sufficient capital being raised. The real wealth of the country was yet as great as ever it was, which was exemplified in the two loans of eighteen millions each, made in the present Sessions of Parliament; and as a further proof of the immense opulence of the nation, it need only be remarked, that seven millions sterling were expended since the peace in the construction of canals. It may be said, that this proposal was improper in a time of war and distress, as the capital of the new Bank must be in cash withdrawn from circulation; but a little reflection will shew that this idea was not well founded. The cash of the capital, it was true, must be in some measure withdrawn from circulation, but this would be but a temporary subduction, only for the short space between the collection of its cash and the issue of their notes. He admitted that there was a very great difference between *cash* and *wealth*, but it did not follow that there was now *less* cash than wealth remaining in the country. It was never

proved that any great quantity of hard cash had in the present war been sent out of the country; that he did not by any means believe. On the contrary, he was of opinion that there was still as great an abundance of it as ever; but as the country Bank notes which had been a great circulating medium before, were now for a great part withdrawn, cash was substituted in their place, and dispersed all over the kingdom. The Subscribers to the new Bank would at first be contented with small profits, with a view to the permanency and future prosperity of the institution; but no person would subscribe except with a view to some advantage, and to show how this would arise, he stated the profits upon discounts and the coining and importing of gold and silver. Instead of doing any mischief, or impeding the operations of the old Bank, he maintained that it was in the nature of competition, that one should act as a check upon the other, and be the surest means of preventing mismanagement; and each would be upon the watch to take advantage of any circumstances which might give it a run upon its rival. Would the new Bank encourage speculations? There were two views in which speculators were to be considered. Independent of chimerical schemes, there were others which ought to be encouraged, though it was usual to say, the *bubble burst*, when they happened to fail from unavoidable circumstances. Those failures were in general to be attributed to the withdrawing of the usual aids by which they were supported. Thus it was with country Banks, which were not aerial schemes, but established upon solid property, but still failed in consequence of losing that aid by which they were supported. Thus was it also frequently with buildings, and many other schemes which would be successful and profitable, if the projector could complete them; but frequently by the loss of some support or assistance on which he relied, the individual was left to the mercy of his creditors, and all his hopes and projects utterly destroyed. The new Bank would be enabled to supply a part of its capital in the support of such undertakings, which were certainly useful, as in all well regulated states, the number of reasonable industrious men greatly exceeded those, who in the bad meaning of the word, were speculators or spendthrifts. Would the encrease of paper raise the price of provisions?—This opinion, though somewhat prevalent, he held to be exceedingly erroneous. The price of any article must depend on the proportion of the quantity to the demand. But when the demand

mand exceeds the quantity, the rise is greater on provisions than any other article, on account of the necessity every man feels of an immediate supply. On other articles the purchase may be postponed; but provision could not be delayed. The increase of paper must be proportioned to the increase of coin, and the latter must be gradual and slow in every country, but must have a necessary effect upon the price of provisions. In this country the price of provisions was now four times greater than it was when America was discovered; but in the same period the quantity of gold and silver was increased fourfold also, so that strictly speaking, it was not true that provisions were dearer; but gold and silver were so much diminished in value. The only real difference thus created was, that people had more trouble in counting the pieces over. In large manufacturing places, where great numbers collected within a small compass, the price of beef and mutton was high; at the same time the cattle were killed in other places almost merely for the sake of their hides. But these inequalities must always be attendant on difference of situations and circumstances; and the fact was, that in general the inconveniences in one way were balanced by advantages in some other. He then quoted the authority of Dr. Adam Smith, the celebrated author of the "Wealth of Nations;" to shew that the quantity of paper did not increase the price of provisions; and added, that they were never so low in Scotland as when most paper was circulated. They began and continued to rise at the same time in England and in France; and yet in the latter country at that period there was no paper currency whatever. It was impossible to make any standard for the price of provisions here where the climate was so variable. For many years we never have had two good seasons successively, though it frequently happened that we had two or more bad ones succeeding each other.

He then contended, that the effect of an increase of coin and notes was to counteract monopoly. At present we had no guard against the misconduct which might arise even from the prejudices of the Bank. The monopoly of the Bank, or any other company, was no better than a *premium* for indolence and neglect; competition would animate the spirit of enterprise and industry. One company was not sufficient to administer properly the pecuniary concerns of this nation, in the present state of things. Formerly trade was carried on

by barter, or some devicts to represent value; but experience soon taught them to use metal, which did not perish by keeping, as a circulating medium, and the diffusion of it had been of wonderful aid to industry since the discovery of America. The Bank of England was the first, that by the issue of its notes, encreased the circulating medium, and other Banks in foreign countries had since imitated their example, without, at the same time, enjoying a monopoly. By withdrawing its discounts, the Bank had a power which could not be possessed before the issue of notes, to do the utmost mischief to the country by withdrawing the circulating medium. Though their conduct towards the public was on many occasions, at least questionable and ambiguous, without accusing them of being disposed to do any such mischief, it was sufficient for his purpose to shew that they had the means of doing it. Circumstances might arise, in which their particular views might possibly incline them to such a measure; and the only power to controul them on such an occasion was another Bank, capable of general accommodation. Something of this kind had actually happened in 1793, when the Bank diminished its discounts, and obliged the Government to employ Exchequer Bills as a circulator, which however were attended with considerable loss to the holders. The evils which it was in the power of the Bank to inflict in time of war, were beyond calculation by means of its monopoly; for by withdrawing the circulating medium, the injury to the public would be as great as the encouragement and assistance it would afford to the enemy. The effect of this power was felt in a thousand instances; and particularly in Government securities, for it was as unerring as the influence of the atmosphere upon the thermometer, that when the Bank diminished its discounts, the value of Government securities fell in the same proportion. The conduct of the Bank in many cases was directly opposite to what it ought to be. When cash was withdrawn, nothing was more evident than that its representative should be encreased; yet the Bank withdrew a three-fold proportion of its notes for every diminution made upon its cash. Its neglect of the means of keeping up the circulation was the strongest argument for instituting a rival. For the last three years, in which there was the greatest demand for money, the coinage was diminished in its usual proportion, to the deficiency of 4,200,000*l*. From the correspondence between the
Bank

Bank Directors and the Chancellor of the Exchequer in the year 1795, it would appear, that they were then sensible of the drain for cash upon them; and by the report of the Secret Committee it would be seen, that within four days of their applying for the interference of Government to suspend payment of cash, when Mr. Pitt recommended the importation of foreign bullion, the Directors said they were considering of it and would do what they could—that is, in nineteen months after feeling the first effects of the run upon them, they were *considering* only of the means by which it could be counteracted. The price which foreign bullion might have borne at the time, was no apology for them; for possessing a monopoly they had a right to provide even at a loss. Their purchasing it from Portugal was a proof that they did not understand their business, and were incompetent to the management of their own affairs. They complained to Mr. Pitt of the high price of gold in Portugal, but that was not the place where they ought to apply for it. By an intelligent gentleman just arrived from Lisbon he was informed, that the cheapest price at which gold could be purchased in Portugal, was 4l. 8s. 6d. per ounce. It was there a contraband article, and the price was enhanced by the risk, and the necessary convoy in coming round the enemy's coast. Gold, however, without any of these risks, was to be bought at Hamburgh, where it rolled from one merchant to another like a storm, for 3l. 1s. 6d. per ounce. Yet the country was left to suffer, because the Company of the Bank of England was at that time so very ignorant of its own affairs. The Bank of England was not justified on any price that gold may sell for. Country Banks paid in general 300l. a year for the bare carriage of gold to supply their customers, and he knew one that paid so much as 1,600l. What excuse then could be admitted for the Bank of England which contracted the quantity of its cash at the very time when it was most wanted? An hon. Gentleman on a former debate had said that no more was wanting than the restoration of confidence, and in that sentiment he perfectly concurred. But how was that confidence to be restored? By regularity in payment, and an increase of a circulating medium in which the public could confide. But instead of regularity in payment, there was now no payment whatever to be had at the Bank. The re-payment of the advances to Government had given them no assistance whatever to recommence payment in specie; and if they did not so recommence on the 24th of

June

June, they would forfeit their monopoly, though they might still conduct their business as a trading company. Would the new Bank affect the interest of the stockholders in the old? He maintained that it would not. The profits of the stocks arose principally from the discounts at five per cent. for though they traded also in gold and bullion, that appeared to be a business very little attended to. There were three species of revenue in a country; first, the rents of lands; secondly, the wages of labour; and thirdly, the produce of the stocks. The two former always partook of the distresses of the public; but the last, as Dr. Adam Smith very truly observed, was the most benefited when the Government was nearly ruined. It must also be considered that the interest of the Bank Directors was frequently in opposition to that of the proprietors. The Directors were always persons of great opulence, and who had a great command of money. In discounts they could make no more than 5 per cent. of which the stockholder had his share; but in the distresses of Government the Director, by subscribing to loans, &c. had an opportunity of employing his money to more advantage. It was no wonder that the discounts were so frequently contracted. That the transactions of the new Bank would interfere with those of the old, was not to be contradicted; but from this it was not to be inferred, that it would diminish its business; on the contrary, he maintained that it would augment it. It also would add to the advantages of the stockholder, by introducing a system of œconomy very much wanted; for it was the opinion of foreigners at least, that the Bank of England had been much too lavish in the expenditure on the buildings. The stock also of the old Bank, reduced as it is, from 1801. to 1801. would soon rise rapidly, and every kind of useful speculation would be assisted and supported. He then returned again to contend for his motion, on the authority of Dr. Smith, who it was well said, would persuade the present generation, and govern the next. He did not mean to push his present plan, should the Bank of England open for payment in specie on the 24th of June, or a reasonable time afterwards. But in the mean time he would submit his plan to the House, which they might adopt or reject, as they thought prudent or proper. He then moved for leave to bring in a bill for the establishment of another Bank, should the Bank of England not open for payment in specie on the 24th of June next.

Sir Francis Baring declined following the honourable Baronet

met through his very able general reasoning; but he doubted whether the plan he proposed would either facilitate the general accommodation of the public, or of individuals by the Bank; or increase the circulation of specie or of good paper, or restore the Bank to its former functions. These were the objects to be attended to. A new Bank would, in his opinion, impede, instead of accelerating these objects. He hoped the Bank would be able to resume its functions on the 24th of June, or soon after; but he thought that such a measure as this, should the House adopt it, would make that more difficult than it seemed to be at present. He considered the principle on which the Bank of England was established to be that of a body corporate to assist the public in the way of Loan when that was necessary; to assist individuals with accommodation, under certain restraints of prudence, in the way of discount; and to aid the general circulation by the issue of its notes for cash. This aid to general circulation was infinitely greater in point of advantage to the public; for in this they were a general security for the repository of cash, as well as an engine for its general circulation. After this came the other two objects, the accommodation to the public by loan, and to individuals by discount. After the two first were provided for, the Bank stood on a solid rock; and individuals ought to be accommodated with discount to a reasonable extent; but it did not appear to him that either of these objects would be forwarded by the present motion.

Mr. S. Thornton said, he had rather hear the opinions of others than deliver his own, upon a subject in which his own personal character was concerned. But as allusion had been made to others with whom he acted, he should make a few observations. He then took some notice of the share which the Liverpool, the Hull, the Bristol, and other Banks had in creating the drain upon the Bank of England, sometime previous to the Order in Council. They were much larger than ever had been known before. He took notice also of the observations of the honourable mover upon coin and bullion. Upon this he observed, that it was not so very easy a matter to import bullion to advantage into this country, as some Gentlemen seemed to imagine. The coinage of this country took bullion at a fixed price; consequently when bullion was very high the coinage itself was melted down. Bullion was, at the time which the honourable Baronet alluded to, in Ham-
burgh at the price of 41 4s. an ounce, and the coinage here at about 31. 17s. 6d. Bullion then might have been imported,
but

but it would only have staid until it could have been reshipped and exported, and with it much cash, for the purpose of being sold to us again. He then entered into a short vindication of the Directors with whom he acted, and averred that they had pursued measures for the public good, and not for their private emolument. He added that the purchase of bullion was matter of very great nicety, and not to be carried on without a great deal of judgment and care. He declined entering into general arguments upon this subject; but he could not help observing, that this country was for its finances and commercial character the envy of the rest of the globe, and until a very late period he had not heard of any reflections being cast upon it. We had seen Holland, Hamburgh, and other commercial countries, rise in prosperity under the management of but one Bank, so had this country. The Bank of Scotland was of a different nature from ours, and, therefore, there could be no reasoning by way of analogy between us.

The *Solicitor General* thought that this motion, if carried, would tend to prevent the Bank from resuming its operations instead of aiding them in that desired object.

Mr. *Sheridan* said, he had always desired to see public credit re-established in the person of the Bank, and therefore he had hitherto opposed the ideas of the worthy Baronet upon that subject. But he did not find by the arguments he had heard that any idea was entertained that the Bank was to resume its payments in cash. He differed from the worthy Baronet as to the first duty of the Bank. That honourable member looked upon the Bank as having been instituted for the purpose chiefly of accommodating Government. From this he differed. He wanted a public Bank that would proceed on the narrow ground of looking to itself and to itself only, and he was persuaded that until that was the case there would be no such thing in this country as a paper circulation founded upon real credit. If the Bank did not open on the 24th of June, he saw no reason, from any thing that had been said that night, for apprehending that they would open at all. It was a farce to call that a Bank, which was never to give for paper any thing but paper. It was admitted that the Bank had with great facility assisted Government from time to time. Now if the Bank was to be considered as bound to continue that assistance, the distresses of the Government must continue to be the distresses of the Bank. But he maintained that this was a practice which was against the general principle on which the Bank ought to act, and on which alone it ought to be supported. The Bank should

should say this:—"We know nothing of the distresses of Government, we look to the notes which we have issued, and we are determined to pay them when they become due." When we had an issue of paper, it was ridiculous to think of confidence in that paper upon any principle but that of its being paid when it became due. If the Bank was allowed to exercise any discretion upon the necessities of Government in preference to paying the demands upon it, such a Bank could never have the confidence of the public, and fatal inconvenience would soon arise; whereas by separating the Bank from the exigencies of Government, this truth would soon appear, that it is owing to the war that all these difficulties have arisen. Whereas, by taking it to be the duty of the Bank to assist Government in all its distress, the Bank can never be reasonably expected to open its payments in specie to its creditor, it must give paper for paper for ever, so that the Bank would have five per cent. for giving its opinion upon the solvency of Government, for it was nothing more by the present system, and supposing them to owe ten millions upon their present paper, they will in the course of fourteen years, by the operation of compound interest, realize to themselves the whole of that property; this was really giving to the public creditor nothing in reality; and therefore unless he heard that the Bank was to open payments in cash at some given time, he should be for opening another Bank. With regard to the notes of the Bank, he did not expect them to be at a discount, even although the Bank should not pay in specie, for now that we should require annually the sum of 26 millions in the collection of taxes, that would keep them at par while they were received in payment at the Exchequer, for any man receiving a large sum in Bank notes might readily pass them to a distiller, or any other person who had two or three hundred thousand pounds to pay to the revenue. Thus the load of our debt kept up the credit of our Bank notes; where the system was to end it was not difficult to guess. He wished the Bank to resume a character for punctuality, and he should wish to support it under that character, but as no hope had been given that such was to be the case, he was under the necessity of supporting the motion. He spoke of the plan of Mr. Hartinck in terms of great approbation, and said, that in his mind it promised to be very useful.

The *Chancellor of the Exchequer* said, that before he adverted to the honourable Baronet's speech and measure, he would make a remark or two upon what had fallen from the

honourable Gentleman who sat down last. That honourable Gentleman had charged his learned friend (the Solicitor General) with saying, that the Bank was made for Government; his learned friend had said no such thing; he had said he hoped that the interest of the Bank was identified with the interest of the public; and who was there who would say he would not be sorry that the Bank should have a separate interest? The honourable Gentleman thought they should be separate. This was a question which he would not argue; but surely his learned friend was justified in wishing that the interest of the Bank was identified with that of the public.

The honourable Gentleman expressed his anxiety that credit should be restored to the Bank in itself; he was glad to hear him say so, it was sound principle; but this could only be accomplished by giving time to the Bank to pay in cash. But the honourable Gentleman despaired, because Government found a facility in the Bank to supply them; but he forgot that there was a restriction upon the Bank making advances to Government beyond a certain amount.

The speech of the honourable Baronet was replete with information, and displayed much knowledge, industry, and accuracy; he would not, however, follow him through it. On many of the general principles he agreed with him. As to the effects of paper money, and the too common error that it tended to raise the price of provisions, and the other objections which had been made to paper currency, he coincided in opinion with him; for he conceived a paper currency to be (if not pushed beyond the commerce of the country), of great advantage. For the other parts, it was not necessary to enter into them, unless it could be shewn that the Bank was incompetent to circulate as much paper as was wanting, or that they wanted farther capital, or the inclination to extend the circulation. He never presumed to give a decided opinion upon the subject, for it was of a very complicated nature; but he believed that at any period when the paper was less than the commerce of the country required, the diminution of the paper was likely to increase the cash; but this was a speculative point, on which it was not blameable in Gentlemen to differ in opinion. It would be wrong, however, if the benefits which had been experienced from the Bank for a century, should be taken away by one single transaction.

As to monopoly, he knew that it was bad in many cases, and many of the honourable Baronet's remarks upon it would be well worth consideration, if the House was now discussing the

the question of granting a new charter to the Bank, though he was inclined to be very cautious in adopting theories against experienced practical benefits; but here the question of monopoly did not apply, unless it could be made out that the Bank would gain more by narrowing than extending their dealings, which was not the case at all, as their profits increased exactly in the proportion of the extent of their dealings. With respect to the Bank's not buying bullion, it was not on account of the loss that might arise upon it, that they declined it, but because they would thereby increase the evil, as it would tend to exhaust the kingdom still more of its cash.

Upon the whole he hoped the House would see that it would not be consistent either with prudence or equity, or fairness, to avail themselves of the situation of the Bank, sanctioned by Parliament, to deprive it of the benefit of its chartered rights. On these grounds he would vote against the motion.

Mr. *Manning* said, that he had hopes that the Bank would resume its functions on the day expected; for that money continually came into the Bank from various Bankers, and that although the Bank was now restricted from paying in the specie of this realm, yet that any Gentleman might now be paid the amount of any Bank note in foreign coin.

Sir *W. Pulteney* replied to all the arguments urged against his motion.

The House then divided :—

<i>Ayes</i> , (For the motion)	15
<i>Noes</i> , (Against it)	50
	<hr/>
<i>Majority</i>	35

Adjourned.

HOUSE OF LORDS.

WEDNESDAY, May 31.

PROTEST

Entered on the Journals of the House of Lords, in consequence of the resolution of the House to reject the motion of the Duke of Bedford for the dismissal of Ministers.

DISSENTIENT,

1st. Because, acting according to the ancient practice of the British constitution, and in conformity with its true principles, we hold the advisers of the crown to be responsible for the condition of the state; responsible for its internal peace, and general good Government; for the preservation of all its ancient fundamental rights and liberties; for the protection of its commerce, of its credit, and the various sources of its prosperity and wealth; for the observance of order, discipline, and

obedience in all the departments of the public force; for the honour and success of our arms (if unfortunately engaged in war): for the preponderance of the British power, and for the glory and splendour of the British name. Instead of recognizing in his Majesty's Ministers that ability, foresight, and integrity, by which these, its dearest interests are preserved, we have seen throughout a course of years, the affairs of the nation conducted with that incapacity, perfidy, and corruption, by which all great empires, from the beginning of the world, have found their ruin; and which, in the particular state and situation of Great Britain, have nearly exhausted its resources and its credit, and annihilated its constitution, which have brought shame upon its character in the eyes of foreign nations, and diffused largely among its subjects mistrust in the intentions of their Governors, hatred of their power, and contempt for their debility.

2d. Because encouraged by the uniform, implicit, and fatal confidence of this House in the conduct of Ministers, a system of Government has arisen, which, if it be further persevered in, will render the fortunes of these realms utterly irretrievable, even should wisdom and virtue succeed in the minds of those Ministers to ignorance and wickedness. That system is governed by principles the very reverse of those by which states and societies have hitherto been kept together. It is grounded on the doctrine that honour and reward is to attend on crime and folly; and that men are to be entrusted with power in proportion to their disposition to abuse it. Such perverted maxims of policy take from Government all the support it derives from opinion. The opinion of its consistency is lost by Ministers adopting and rejecting, as it suits the purpose of their power, systems which they alternately recommend and revile. The opinion of its justice is destroyed from seeing that power depends on a principle which confounds the first distinctions of right and wrong. All opinion of its vigour and efficiency is lost in the daily insults to its authority to which they are compelled to submit. Every species of disorder is hence introduced. The example of those who govern is followed by those who obey. *Nothing regular or orderly is found in the intercourse between subject and sovereign. State necessity, instead of being reserved for occasions of the last emergency, is resorted to as the constant, and every day practice of Executive administration.* In such a system there is neither order nor freedom; and it is the energy of freedom alone that can resist with effect the real or fancied superiority of military means. Where no power is left to correct the vices of an ill administered commonwealth, nothing will remain to oppose to the enterprizes of a foreign enemy.

3d. Because to suffer ourselves to be bound by a foreign enemy in this distracted condition, when we have the means of avoiding it, seems to us highly impolitic, and wantonly to call down destruction upon the state. We see nothing in the present Ministers so valuable as to induce us to risk, for their preservation, any part of the common interest. They have already kindled, by their odious persecution of the Catholics in Ireland, the flames of civil discord in that country. We believe that an immediate change of men and of measures would yet preserve the common ties by which the two countries are united. If, unhappily, measures of intolerance are to be sustained by the sword, and if that oppressed country be torn from the British

British Crown, as America was severed from our empire, rather than that these Ministers should incur the loss of their offices, we are unable to see in what Great Britain would be the gainer. If an invasion of these realms should be the result, of delaying to open a sincere negotiation for peace, fully as wisely upon the zeal and bravery of our countrymen for the event, we do not conceive that the mischief of such an attempt would in any degree be compensated by finding, at the close of it, those Ministers still in their offices. Above all things we deem it highly in expedient that any numerous or important class of the people should, in so perilous a moment, conceive themselves to be placed in the alternative between foreign conquest and domestic usurpation. We think that in this crisis no excuse is left for not calling forth the whole wisdom, and all that remains of the energy of the British nation; that it is among the crimes of these Ministers that they have exhausted in idle alarms for factious purposes, those resources which ought to have been preserved whole and unbroken, to meet the disasters which are impending over us; and for having set up a cry of loyalty against liberty, to the destruction of that real strength by which alone our shores and our altars can, in the last extremity, be defended.

4th. Because such a system is dangerous to our present safety and existence as an Independent State, and the support uniformly given to it, tends to degrade and vilify this House in the opinion of the people. For the first time in our history the continuance of a Minister in office seems to be made a condition of the Constitution. If the Minister, after having reduced his country to the lowest ebb of shame and misery, shall continue to receive and to dispense all trusts, honours, and emoluments, and to be supported in his abandoned courses by this House, no motive will remain to love and reverence a Constitution exhibited in these colours to the people, through the medium of this House. Feeling no interest in our proceedings, they will lose all respect for our character, and all belief in our honour.

5th. Because we believe the present Ministers to be utterly incompetent to the cure of the evils they have produced. As the principles on which they made the war offer no prospect for its success, those on which they have hitherto negotiated for peace afford no hope for its attainment. As the improvidence and incapacity with which they have conducted the war have contributed so largely to produce the calamitous situation of Europe, and to build up the prodigious power of the French Republic, we conceive that they possess not the means of obtaining safe or honourable terms of peace for this country. We cannot expect that they will hereafter cherish or encourage that spirit of liberty under which, in former times, our greatness has grown and been matured. We are rather impressed with the fear that, under the same pretences which have caused all our present disasters, large military establishments will continue to be kept up, with a view of crushing all its efforts, and rivetting still closer the fetters of the people; that released from the pressure of foreign hostility, they will have recourse to coercive measures in that unhappy country where their oppressions have already provoked the people to resistance. We can hope for no economy from men whose extra-

vagance

vagance and waste exceeds whatever has been heard of the mad prodigality of former periods. We can expect no salutary reformati^ons from those who have endeavoured to engraft upon and blend with the substance of the Constitution itself, those abuses by which their rapacity is supported. Finally, we can expect, from such men and such a system, no other issue but the establishment of a dominion of Ministerial terrorism, supported by Parliamentary corruption, instead of the ancient Constitution of this country conducted according to the principles of the Revolution.

(Signed)

BEDFORD,

CHESWORTH.

Heard Counsel on Sir Godfrey Webster Vassal's Divorce bill.

The bills upon the table went through their several stages; and

The Vagrant bill, on the motion of the *Chancellor*, was ordered to be read a second time on Friday, when it is to undergo a full consideration.—Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, May 31.

Mr. Alderman *Combe* brought up the report of the Committee, to whom the bill to prevent Forefalling live Cattle, &c. was referred. Ordered to be taken into consideration on the 8th of June, and to be printed.

AMERICAN TREATY BILL.

Mr. *Ryder* moved the order of the day for the House to resolve itself into a Committee of the whole House on the Treaty between his Britannic Majesty and the United States of America.

Mr. *Nicholls* said, that the bill which was now before the Committee did not contain any provisions for regulating the intercourse between the United States of America and the West-India Islands; after such a length of time had elapsed since this intercourse had taken place, he could have wished that some provision should now be made for its regulation, and not left to be regulated on the spur of the occasion, as the case might hereafter happen, by the Governors of the West-India Islands, or by their interference. We should remember the situation in which we stood; when the present contest was over we should have rivals in our commerce with America, and unless we made wise provisions in time, it was doubtful whether we could retain our station in commerce. France, Spain, and Italy, would be our rivals, and we may then have difficulties

difficulties to maintain in our commercial superiority which we do not feel now. America was now on bad terms with France, and good terms with us; she had many raw materials to sell which it was our interest to buy, and we should avail ourselves of the present good disposition of America towards us with regard to the West-Indies as well as Great-Britain. He could not refrain from expressing his regret that the Ministers of this country had not, in the course of 14 years, framed a plan of a general and permanent nature with regard to our commerce and the commerce of the West-Indies with the American States.

Mr. *Ryder* said, that the observations of the learned Gentleman did not refer to the subject of the bill now before the Committee, but to topics of another kind, for the resolution which he had to move did not relate to any commerce between the United States of America and the West-Indies. There was a plan settled in this country upon that subject, upon what was understood by those who framed it to be equitable, and of reciprocal advantage to the parties to be affected by it, but had not been ratified on the part of America; it was not his intention to propose any thing now upon that subject. What measures might be thought necessary upon that subject would of course be communicated to the House, if any such should be in contemplation, but that was not the subject of the present bill.

The House then resolved itself into a Committee of the whole House.

Mr. *Ryder* opened the nature of the resolutions which he had to move, after which they were all put and carried. Report ordered to be received the next day.

EIGHTEEN MILLION LOAN BILL.

The House having resolved itself into a Committee of Ways and Means, and the 18 million loan, called the Loyalty Loan, being referred to that Committee,

The *Chancellor of the Exchequer* rose, and said, that, although the laying of any additional burthen on the People was a matter of as much regret to him as it could possibly be to any one, yet, considering that the demand for it was so obvious as to be recognized by the Public, and that there could be but few or no objections to it, he felt himself free to bring the matter before the House. The Committee would anticipate him, and see, that he meant to move for a vote to reprice the subscribers to the loan, commonly called the Loyalty Loan, for the losses they had sustained by the depression of the Funds subsequent to their subscribing. This, he conceived, to be a proposition
which

which the House could not fail to regard with a favourable eye, since it must be obvious to them, that the persons in whose behalf it was made, had been actuated, in a great degree, by zeal for the public service, and by that zeal had incurred the losses which it was his wish the House should make good. At the same time, it was not to be denied, the Subscribers looked forward for some chance of advantage from a favourable turn of affairs; it was certain that they looked also to the possibility of some loss from a contrary turn, and might therefore be fairly considered as guided in their conduct, upon that occasion, by public zeal. Be this as it might, the House, upon a retrospection to the state of the funds at that day, and a comparative view of them with the terms of the Loyalty Loan, would see, that the Public had incurred a much smaller burthen by that than by any other form in which a loan could then have been procured: they would also see, that the Subscribers could not possibly, with any degree of foundation to warrant them, have looked forward for such a heavy loss as that which they had sustained since the second period of their deposit. He said, he was far from wishing to keep from the view of the Committee, that the Subscribers had no strict ground of right; but he wished to impress upon the House, that, with a view to future example, as well as to reward merit, it was desirable, not to leave them to suffer a loss, such as they could not, at the time they endeavoured to serve their Country by the loan, have reasonably looked to, though they had the merit to do so, calculating as he had already stated, upon some eventual loss. He stated, that, previous to the Subscribers having made the first deposit, they suffered a loss by the fall of the funds of full three per cent.; and, after that, the loss they sustained amounted to a height of not less than eight, 14, and 15 per cent. At present, they stood at a loss of 14. But, notwithstanding these material losses, the Subscribers made good their stipulated payments; and, on that account, the Public would not be the less disposed to make them an allowance. The Chancellor of the Exchequer recalled to the remembrance of the House, the circumstances which led to these losses; the unfortunate events which had taken place on the Continent, &c. &c. all of which had a share in depressing the stocks far beyond the natural expectations of any one at the time that loan was made.

On these grounds he thought it would be proper to alleviate the pressure upon the Subscribers. He confessed there were some difficulties lay in the way, arising from the transfer of their stock; there was no rule to go by. But the discount
being

being from 11 to 14 per cent. he thought it would be only a just consideration to allow them 5l. in every 100l. in the shape of a Long Annuity of 7s and 6d on every 100l. Those to whom this would be allowed, in the fullest and most direct manner, were they who originally came forward, and who made their payments good. And it would be hard, he thought, to leave out those who had been obliged by absolute necessity to sell. On the best consideration, he found it was impossible to form any division between the Subscriber and Holder. The only thing, therefore, to be done was, to settle the general amount, and leave it to the Holder and Subscriber to settle their respective claims, and the business then would find its level; and this could only be done by allowing the addition to those who produced the original receipts. He would not have the measure apply to individual cases only, but operate generally, and this he conceived to be better than subjecting it to any arbitrary rule. The amount of the whole he stated to be an annuity of between sixty and seventy thousand pounds a year. Not only the generosity, but, in his view, the policy of the Country, called upon the House to concur, and on this ground he moved the Resolution, "that 7s 6d per cent. Long Annuity be granted on the said loan."

Mr. *Dent* said, he was not aware that he should be called upon by public duty to give his vote against a measure of this kind. He must, however, perform his duty. He could by no means give his vote for the measure which was now proposed. He knew nothing of this as a question of party. He dreaded it as a matter of future example. It might be considered hereafter as a matter of precedent. The House should be cautious before they established such a precedent. No man could calculate the evil which such a precedent might bring upon the Public. In 1779 and 1780, there had been loans in which the Subscribers had suffered much, but nothing of this kind was granted to relieve their distresses. There was a shifting of Tontine to relieve them a little, but here was to be voted away at once near seventy thousand pounds of the public money, and for the payment of which taxes were to be levied for ever on the People. He was not aware that any Gentleman would second his motion, but he should certainly move, "That the Chairman do do leave the Chair without putting this Resolution." The three per cents. were now between 47 and 48; when this loan was entered into they were about 56. He wished to know whether every holder of Stock was not in the same situation as these Gentlemen? He did not see in their case any thing to entitle them to favour, more than all those who had advanced

money on the faith of the public funds. He believed there was no man out of that House, who had less to do with jobs about the funds than the Chancellor of the Exchequer. He acquitted him entirely of any intention to deceive the Public, or of wasting its wealth. But there were about him a set of men of very different views, who advised him to adopt measures, which, if he was as well acquainted with as they were, he would never adopt, for they were injurious to the public interest. He saw no reason for considering this loan in any other light than a bargain, which included much speculation. This was like any other speculation. If the Subscribers had profited 15 per cent. they would not have come forward and suffered the Public to partake of the advantage, but they found it to be a losing speculation, and they called upon the Public to bear a part of that loss. He saw no reason, nor justice, nor fairness, nor equity in this. They did not come forward as Subscribers with any idea that they were to lose. If they came forward out of ostentation, they ought to pay the expence which attended that ostentation, for they did not do it with a view of serving their country. He thought that those who had subscribed large sums of money ought to be made to bear the loss. There were some persons who subscribed to keep up appearances, and to be on good terms with those who were above them, and if it was possible, he should like to relieve them, for what they did was done to save their bread; in order to embrace the cases of such persons, he should not dislike to meet a resolution confined to those who had not advanced any thing above 1000*l*. As to those who subscribed to large sums he had no idea of relieving them. It was easy to vote that the Public should pay 70,000*l*. but he knew not where the money was to come from. He was sorry that the Chancellor of the Exchequer should be advised to come forward with such a measure as this, and that he was so weak as to listen to such advice. He was confident that the independent part of the Subscribers did not wish for it. He knew that the Minister had been imposed upon. Very often in bargaining for a loan, three or four persons pretended to bid against each other, whereas they had concerted their plan and afterwards divided the profits of the bargain. Upon the whole he found it his duty to move, "That the Chairman do now leave the Chair."

Mr. *W. Smith* agreed with much of what had been said by the gentleman who had just sat down, He recited some abuses upon the public with respect to loans, and which amount to a direct fraud. The ground of right to this assistance to the subscribers was given up by the Chancellor of the Exchequer who
 moved

moved it. The claim must rest upon some foundation. These gentlemen either came forward as good patriots to support a just and necessary war, or they came forward to make what they thought a good bargain for themselves, for no man makes what he thinks a bad bargain for himself. He knew many gentlemen by name who subscribed to this loan, expecting it to be a profitable one. He knew others who did not put down their names because they thought it would be a profitable one, but who were afraid of being what are called "marked men" if they did not do it. There were many in the City of London who were bankers, and whom he would not name, but some of them were members of that House (he would describe them no nearer) who subscribed from that motive. He would not disgrace the title of Patriot by calling such men Patriots. But the mass of the subscribers to this loan were persons who had made a bargain by which they expected to gain 10 per cent. for three years for their money, with an absolute security for the capital at the end of that time. Were men who expected to have double the amount of legal interest for their money, together with a security for the capital, to be considered as Patriots for so lending their money? There were some who came forward out of ostentation to have their names enrolled at the Exchequer, and expected to be handed down to posterity as great patriots as those who gained the glory of the battle of Marathon; he wished to know whether any of these should have the pecuniary reward which was now proposed to be given to them. He really saw no pretence for this measure, nor did he see any description of men who deserved to lose, and to bear their losses, more than these men did; he took notice of what he had insisted upon when the Chancellor of the Exchequer opened his budget. He had then said that there was at least a million unprovided for by that statement; he recapitulated the items that composed that sum; he observed that the sum to the Princess Royal had not been included. It would have done credit to the Minister to advise, and to another quarter to have determined, to make provision for that marriage, in a manner that should not bear upon the shoulders of a people already stooping under their burthens. He maintained that when the sum now proposed, came to be added to the rest, the whole sum of deficiency which must be raised annually by fresh taxes, would amount to 140,000l. a year. Had these persons who subscribed to this loan just claims, he should agree to relieve them, great as the burthens were upon the people, because nothing could be so great a weight upon them, as that of injustice; but as they had no such claim, he must support

the motion for the chairman leaving the chair without putting this resolution.

The *Chancellor of the Exchequer* said, that he had always declared that the Subscribers had no claim of Right. But having told the Subscribers that there would be no loan above 8 millions that year, they were in equity entitled to consideration on that account. An honourable Gentleman (Mr. W. Smith) had stated the 10 per cent. for three years; as if it was a permanent interest, whereas if it continued for a longer time than three years, it decreased in a ratio that would bring it down in four years to 8 per cent. and so on. The question for the Committee was this—Did or did not the subscribers lend their money at less than the market price of the funds? and if so, were they not entitled to consideration? The hon. Gentleman had indulged in plausible topics, which, however, did not apply to the case: for the money being lent under market price, evinced a disposition to serve the country:—and if, as was the fact, it was lent on the terms of no other loan being made that year, which the emergencies

the country made it impossible to fulfil, had they not a claim for indemnification? The hon. Gentleman should recollect, that they were at par only for a few days, and that at the second payment they were at an enormous discount. As there could be no transfer without a receipt, and no receipt could by law be granted till the second payment, there was no manner of evidence for the House to go on. But by the transfer of the receipts after the second deposit, the bulk transferred must have been after they had fallen to a heavy discount, so that their loss must have been great.

Mr. *Smith* said, he did not assert that the subscribers would have ten per cent. in perpetuity, but for three years.

The *Chancellor of the Exchequer* allowed that the subscribers had no claim of right for indemnification for the loss that they had sustained; but he still contended, that under all the circumstances of the case, they had a fair claim upon the liberality of Parliament.

Mr. *Tierney* could not allow the resolution to be put without expressing his opinion upon the subject; and though he knew too well the issue of divisions in that House to press one on the evening, yet if any other gentleman chose to divide the Committee, his name would be found in what he supposed would be the minority. The proposition of the *Chancellor of the Exchequer* was nothing less than ripping up an act of Parliament, by an attempt to do what he called justice,

justice, when he himself allowed, that from the lapse of time and circumstances which had intervened, justice was rendered impossible. Add to this, that the proposition was made at the end of a session, which he must not call extravagant, for that House never did any thing extravagant; but at the end of a session in which burthens had been imposed upon the people to an amount beyond all precedent, they were called upon to vote 75,000 l. a year, which, at fourteen years purchase, was one million sterling of the people's money. He asked if the House had not as much confidence in the hon. Gentleman as the hon. Gentleman contended the country had in the House; whether they would give their sanction to a measure so shameful in its nature, and so injurious in its effects? If relief was to be given, why was not a petition presented by the sufferers to the House stating their loss, and praying for indemnification? But when this mutiny arose among the Loyalists, they, like other mutineers, appointed Delegates; for five months they had had conferences almost every week with the Chancellor of the Exchequer. What wonder was it then that the honourable Gentleman asked, with an air of triumph, what part of the nation had lost their confidence in him? Certainly not the City of London. And what was the reason of the City of London remaining firm in their allegiance to his administration? Because they had a negotiation pending with him upon the result of which depended one million of money! Was there any man at all acquainted with the City of London who did not know that a consideration of this magnitude would induce its support to any Administration? And where was the surprise when this *bonus* was promised that the mutiny did not shew itself in such a way as to endanger his situation? When the loan was subscribed for, the subscribers were praised for loyalty. It had unfortunately come out, however, that loyalty was a commodity of such a kind that in this country it would not keep for two months. If the worst enemy to England had projected a measure essentially to injure her interests they could not have been more successful than the honourable Gentleman in bringing forward the present proposition. It proved that we were engaged in a war in which those who offered their lives and fortunes in its support were not serious in one word they said, and the most extravagant railer against the Government and Constitution of the country could not take better ground than upon the vote of that night.

Mr.

Mr. *Jolliffe* spoke in terms of the greatest severity against the measure, as one of the most unnecessary, profuse, and extravagant kind that ever was brought into Parliament. He pledged himself to divide the House upon it in every stage.

Mr. *W. Smith* suggested that as it was common in that House for any gentleman who was personally interested in the decision, to withdraw; that it would be highly indecorous in those who had been subscribers to the loan to remain and vote for the additional *bonus*.

Mr. *Bastard* told the Committee, that as unfavourable opinions were abroad of the integrity of that House, he should like to see the full extent of the nature of this loan; that was to say, he wished to see the names of the persons to whom the compensation was to be paid, and the persons who were to pay it. He entreated the Committee, for God's sake, to pause and consider what they were about to do, for it was absolutely impossible that the taxation could go on. It was already nearly over with the House of Commons, and every thing that was dear to them, and if they persisted in their present system, they would soon be all done up. Sacrifices must be made at such a crisis, and he hoped gentlemen would forfeit their temporary interests for the national advantage. He was willing to give credit to one gentleman for his patriotism, because, although a subscriber to the loan, he had been voluntarily one of the first for opposing the reward. (He alluded to Mr. Dent.) The remuneration was not only objectionable in its principle, but in the mode also by which it was to be carried into execution, as persons who had bought shares the preceding day, by collusion with the broker, might the next day receive 3 per cent. *bonus* on each share. What praise could be due for such patriotism as that? He knew that opinions had gone forth, that Ministers and their friends had got large shares in the loan, and therefore such a measure would only tend to confirm them. But whether the opinions were true or false, Ministers had at present the remedies in their hands, and he hoped they would not let them escape. He said he should vote decidedly against the motion.

Mr. *Rose* informed the hon. Gentleman, that the resolution only favoured the original subscribers, and that persons who had purchased shares in the market could not avail themselves of the benefit. He then desired an explanation from Mr. Dent of an expression in his speech, namely, that though
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he had great confidence in the integrity of his right hon. Friend, he had not the same confidence in the integrity of his advisers. He had no reason to take the expression to himself, but he was convinced that a person of the hon. Gentleman's candour and fairness would not allow it to stand in its present general form, but that he would mention the names of those to whom he meant it to apply.

Mr. *Bastard* explained, that he understood the purchasers of shares in the market would receive the benefit, in consequence of allowing the broker 2 per cent. for the original subscription.

Mr. *Dent* replied, that he was extremely surprised that the hon. Gentleman opposite to him, considering their acquaintance, would have taken any such expression to himself. He did not mean that it should be applied to him, or to any gentleman who sat on the bench along with him, but to other persons both in and out of the House.

The *Chancellor of the Exchequer* thanked Mr. *Dent* for the good opinion which he had been pleased to express of him ; but disclaimed any praise which was bestowed upon him at the expence of those by whom he had been advised, as, in bringing forward the present measure, he had acted in conformity to his own opinion and to the dictates of his own judgment.

Mr. *Vanfittart* said he could not give a silent vote on this question. If the point was pressed to a division he should vote against the proposition. It was not ascertained whether there would be any loss to the original subscribers. Many had sold out at par, or even for a slight premium. If stocks rose after peace, as it was to be expected they would, those who retain their subscription would have no loss. He thought the proposition at present was premature.

Mr. *Nicholls* spoke at length against the motion, and expressed his wish for the names of the parties to whom the compensation was intended to be given.

The *Chancellor of the Exchequer* said that a list of the names might very easily be obtained.

Mr. *Tierney* said he hoped those who were personally interested in the decision would act like gentlemen and decline voting.

Mr. *Hussey* said, if the *Chancellor of the Exchequer* could shew him any ground of justice for giving away so much money,

money, he should assent but if not he should vote against the proposition.

Gen. *Tarleton* conceived the present motion tended to affect the interests of his constituents, and therefore could not agree to it.

Mr. *Moreland* said, that there was an understanding in consequence of what had fallen from the Chancellor of the Exchequer, that no other loan was to be raised within the year. The subscribers who acted on this understanding, had some right to an indemnification or allowance. In the case of the loan two years ago, this principle had been admitted. In point of policy, he thought the measure proper. He had a small share in that loan, but too small to admit the suspicion that he could be actuated by personal motives in the opinion and vote he gave.

Lord *Wm. Russell* said, if the principle of the last speaker could be carried a little farther, it would be a good thing. He should be very glad if it were possible to give an indemnification to all those who had been disappointed, and had suffered from relying on the language thrown out by the Chancellor of the Exchequer.

Mr. *Wm. Smith* said, that in the case of the loan alluded to, a specific engagement was considered to have been made with Boyd, Benfield and Company.

The Committee divided,

<i>Ayes,</i>	—	—	—	40
<i>Noes,</i>	—	—	—	26

Majority 14

Several resolutions relative to the Distilleries in the Highlands of Scotland, and altering the proportions between those in the Highlands and Lowlands, and altering the limits which former provisions had fixed, were agreed to in a Committee of Ways and Means. The reports were ordered to be received the next day.

The other Orders of the Day were deferred.

Adjourned.

HOUSE OF LORDS.

THURSDAY *June 1.*

Heard counsel on the claim of Sir Adam Ferguson to the peerage of the Earl of Glencairn.

Lord

Lord *Greenville* brought down the following message from the King.

GEORGE R.

It is with the deepest concern his Majesty acquaints the House of Lords, that the conduct of the crews of some of his ships now at the Nore, in persisting in the most violent and treasonable acts of mutiny and disobedience, notwithstanding the full extension to them of all the benefits which had been accepted with gratitude by the rest of his Majesty's fleet; and notwithstanding the repeated offers of his Majesty's gracious pardon, on their returning to their duty, have compelled his Majesty to call on all his faithful subjects to give their utmost assistance in repressing such dangerous and criminal proceedings. His Majesty has directed a copy of the proclamation which he has issued for this purpose, to be laid before the House; and he cannot doubt that his Parliament will adopt, with readiness and decision, every measure which can tend, at this important conjuncture, to provide for the public security. And his Majesty particularly recommends it to the consideration of Parliament, to make more effectual provision for the prevention and punishment of all traitorous attempts to excite sedition and mutiny in his Majesty's naval service; or to withdraw any part of his Majesty's forces, by sea or land, from their duty and allegiance to him; and from that obedience and discipline which are so important to the prosperity and the safety of the British Empire.

G. R.

Received some bills from the Commons, read those upon the table, and adjourned.

HOUSE OF COMMONS

THURSDAY, June 1.

Mr. *B. Edwards* moved for leave to bring in a bill to repeal so much of the act 5 of Geo. II. as made negroes real assets for the payment of debts.—Leave given.

Mr. *Rose* moved, that there be laid before the House, a list of the names and residence of the original subscribers to the loan of 18 millions.—Ordered.

The list was brought up by Mr. *Abraham Newland*, and ordered to lie on the table.

Mr. *Alderman Combe* moved, That the list should be printed, as in its present shape it could afford no information as to the point, who did or did not vote for the additional bor. us, being themselves interested.

Mr. *Rose* said, he did not see any advantage that could result from printing it. It might be consulted by those who wished to know its contents. He thought such expence un-

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necessary. Besides, the list might mislead, as the original subscribers might not now be holders.

Mr. *Manning* thought it was an unnecessary expence to print this list.

Mr. *Jolliffe* said, it was impossible that the list, if not printed, could convey any information, as it could not be carried off the table. No man was more anxious to spare the public money than he was, but surely 20l. or 25l. was no object, when information for the House of Commons was to be obtained.

Mr. *Morland* said, that it was of no importance to print this list, as the original subscribers might not be holders. It should be left to the discretion of individuals whether they should vote or not. The printing of the bill would only be an additional expence to the vote of last night.

Mr. *B. Edwards* said, that the list was laid on the table either to give information or not. If for information it could not be obtained just now; unless printed it might as well be given back to Mr. Abraham Newland. It was intolerable that men who were voting a million into their own pockets, should pretend to stickle at ten pounds. Such language could not be heard with patience.

Mr. *W. Smith* said, that to object to the expence of printing, was straining at gnats and swallowing camels. He should do his utmost to obtain every information that could open the eyes of the people, and expose the job here attempted.

Sir *W. Geary* said, no information could be gained by having the paper printed, but on the contrary, that it would only tend to mislead, since it was very likely that the original subscribers were not now the holders of their subscription.

The question was then put and carried without a division; and the list was accordingly ordered to be printed.

The report of the committee on the American treaty was brought up, and the resolutions read and agreed to.

The corporation cause bill was committed, when Mr. *Coke*, Mr. *Bragge*, Mr. *Wigley*, Mr. *Ryder*, and Mr. *Percival* delivered their sentiments, in the course of which Mr. *Wigley* expressed his desire to have the chairman leave the chair, with a view, on the resumption of the House to move, that the business stand over to this day three months. Upon this the committee divided,

<i>Ayes,</i>	—	—	33
<i>Noes,</i>	—	—	46
			<hr/>
		<i>Majority,</i>	13

The

The further consideration of the subject was deferred till Wednesday.

MUTINY IN THE FLEET.

A message from his Majesty was brought up by the Chancellor of the Exchequer, similar to that to the Lords.

The *Chancellor of the Exchequer* moved, That his Majesty's most gracious message should be taken into consideration the next day.

Mr. *Secretary Dundas* brought up the proclamation * alluded to in the message, which was read, and ordered to lie on the table.

Mr. *Sheridan* said, he was confident that every Gentleman in the House must join in the feelings of regret which the subject of his Majesty's message was calculated to excite. To those feelings of regret which the general nature of those circumstances inspired, were added those of a personal nature, which arose from the reflection, that the proposition which he had intended to submit to the House, relative to the state of the navy, had not been brought forward, by which, perhaps, this proclamation, and the causes on which it was founded, might probably have been prevented. With regard to the message, he should abstain at present from making any remarks. With respect to that part of it, which expresses a hope that the House would adopt some new legislative measures, he should not give any opinion, but he was desirous to have it understood, that any silence upon the present occasion, should not be construed into an acquiescence in any measure which might be brought forward in the view of that recommendation.

The *Chancellor of the Exchequer* commended the honourable Gentleman for having, with such great propriety, declined to enter into any disquisition on the papers in question. Reserving his opinion of the necessity of the strong and vigorous laws recommended by the message to check and controul the violent acts which had of late been so fatefully committed to a future opportunity, when they would become the particular subjects of consideration, he felt himself obliged to remind the House that the offences therein stated, were in their nature of the most malignant, the most criminal, the most odious, and the most contagious, that it was possible for the heart of any man to conceive, and in one instance they had been executed with such a boldness, such an industry, and such a perseverance, as required some extraordinary rigour to prevent their further diffusion. The honourable Gentleman had himself, upon a former occasion, expressed similar opinions of them, and had admitted that, comparatively viewed, all ordinary and open

* Vide Appendix.

treason sunk to nothing. They who had expressed their abhorrence of former acts of treason, and represented them as of the most alarming nature, still felt and acknowledged these to be paramount, and shrunk with horror from the dangers they impended. Leaving the question whether the measures recommended by his Majesty were necessary and proper, or not, to a future discussion, he was obliged to say that the proceedings by their guilt provoked his indignation, and by the dangers they threatened, seemed to require some precaution.

The proclamation was then ordered to be laid upon the table.

LOYALTY LOAN ALLOWANCE BILL.

The report of the Committee of ways and means was brought up, and read a first time.

On the second reading of the resolution for giving an allowance to the contributors to the loan of 18 millions,

Sir *John Sinclair* stated three objections in point of form: 1st, That the resolution was inconsistent with acts passed this session, and therefore could not be entertained; 2d, That the resolution should have been voted in a Committee of supply; and, 3d, That the regular mode would have been for the persons desiring relief to have come to the House with a petition recommended by the Crown.

The *Speaker* informed him, that, in regard to the first objection, the rule of the House was, that no two resolutions, nor any two bills contradictory to each other, could be passed in the same session. It remained for the House to decide, whether this resolution was contradictory, or only explanatory or supplementary, as in the latter instances, the honourable Baronet's objections would not apply. In regard to the second objection, the honourable Baronet did not appear to have understood the practice of the House, since a Committee of ways and means, or the House, might approve any resolution for extending the grants of a former Committee, with this exception, that no additional burthens could be imposed, except in the land-tax. And, in regard to the third objection, a petition might with propriety have been presented, though not without a recommendation from the Crown, but that did not preclude any other mode. This was a transaction between the public and an individual, and if it was disadvantageous to the individual, it was not irregular to propose, that he should not be held to the original bargain. Here he had to observe, as a stronger proof of the power to make such a proposition, that in case a petition was moved to be presented, and the Crown refused its recommendation, it was in the power of any Member afterwards to bring

bring forward a motion to the same effect. The only objection, therefore, which admitted of doubt was the first; and he left it to the decision of the House, whether this resolution was contradictory, or explanatory, or supplemental.

Mr. *Sheridan* said, he listened with great deference to the opinion of the Chair, and he assented to the statement given on two of the objections; he thought, however that the resolution was contradictory to former resolutions in this session of Parliament, as it went to alter an agreement and bargain already made, and to make terms contrary to that bargain sanctioned by an act of Parliament. Had it been attempted to take part of the profit from the contributors, would not the form have been objected? He should be sorry, however, if the question was to be got rid of, merely by a point of form, for never was there a case of more rank depravity, or one that more strongly deserved the name of an iniquitous job, than this transaction; he hoped that from the impression made out of doors, by the arguments against the measure, and the comparative number of the division the preceding night, that the right honourable Gentleman would not have stood upon a point of form; but have explained the substantial merits on which he defends this measure. If it were consistent with regularity he would wish to ask, Whether there had been any promise or engagement with the contributors to the loan of 18 millions, that there was to be no other loan for the year?

The *Chancellor of the Exchequer* said, he understood the question before the House, to be a question of form, which must be disposed of before any other point was taken up.

Sir *John Sinclair* consented to wave the question of form.

The *Chancellor of the Exchequer* said, that the case here was not to undergo a bargain by the act of one party, which had been contracted between two. It was to give to the contributors an option of which they might avail themselves. If the House thought it a matter of sound policy to prevent such a loss to the individual as might in future be prejudicial to the public interest, they would not think that any expence which it might occasion was idly thrown away. It had never been contended by Gentlemen on the other side themselves, that such a hard bargain should not be driven for the public as to endanger such a considerable loss to individuals as might deter them from coming forward to assist the public. If, on the present occasion, unexpected circumstances had produced such a loss as would be highly injurious to the individuals, was not this policy to be considered? He was not surprised that those who had ever opposed the war should be desirous to hold out in
odious

odious and contemptible colours those who had stood forward to support the country in a moment of danger and difficulty. There was no intention to benefit any particular class of men in this transaction. The plan of the loan embraced all those who chose to contribute, and if those who do not generally support Government are not those who would enjoy the advantage of the allowance, it was because they did not think proper to stand forward at a moment when the public service required support. As to the question of the honourable Gentleman, it was answered in the Committee. No express agreement had been made as to any future loan. He placed the propriety of the present measure upon grounds of general policy, far outbalancing any pecuniary burden it might occasion. The measure was not without example. There was a precedent for it in times to which no man could object. In 1759 the interest to the contributors to a loan was allowed to commence half a year sooner than was fixed by the terms of the bargain, which gave an advantage to the subscriber of $2\frac{1}{2}$ per cent. On every ground of policy, therefore, he felt it to be his duty to bring forward and support this proposition.

Mr. *Sheridan* entered at considerable length into the nature of the question. In the course of his speech he observed, that, properly speaking, there were three parties to be considered in a loan. The Chancellor of the Exchequer, the subscribers to the loan, and the House of Commons. Taking it in this view, the Chancellor of the Exchequer had deceived the original subscribers, and was now about to impose upon the House and defraud the public. With respect to the 18 million loan, the subscribers might be taught to believe that there was not to be another loan, but the Chancellor of the Exchequer could not expect any thing but that there must have been another loan, for at that very moment he knew there was a deficiency of seven millions. He took notice of what the Minister had said upon extraordinary events happening in Europe. He did not see that there was any reason for the Minister being astonished at what had happened. He then took notice of the merit of the subscribers to this loan. He was willing to give them full credit for their public spirit; but the measure of the Chancellor of the Exchequer made it a species of selfish public spirit, and a mercenary avaricious generosity. If they were left to bear the whole of this loss, they would be entitled to the character of patriots; but this measure took away all the grace of their public ardour. He observed also, that should it ever happen that this bargain might turn out profitable to the subscribers by the increase of the funds, there was no provision for the return

return of one pound one to the public of what was now proposed to be voted to these loyal, money-lending Gentlemen. Indeed it was quite ridiculous to pronounce any panegyrics on the loyalty or the patriotism of subscribers to loans. It was better, because honest, to confess that they come forward with a loan in expectation of profit. The Minister knew this; he had by this loan lost much of his credit with the monied men; he wished to restore himself to their favour, and therefore he came now to the House to ask them to repair his credit out of the public purse.

He had heard, he said, with astonishment, for it was impossible for him to attend the House the preceding day, that many Gentlemen had given their votes that this money should be raised upon the public, which money was, a great part of it at least, to go into their own pockets, for many of them were subscribers to the loan. He could not conceive any thing more indecent nor more indiscreet. At a time, let Gentlemen say what they pleased, when the House of Commons was extremely unpopular, and deserved to be so, for Gentlemen to disgrace its proceedings by votes so mean and selfish, was madness. From Ministers they expected nothing but deception. But if these proceedings were carried on, the House of Commons would become more unpopular even than the Ministers. From the one the people expected only to be cajoled and plundered, but from the House they expected at least some attention to their interests; however, they have been disappointed in such expectations. This was indeed taking away part of the public odium from the Minister and fixing it upon the House of Commons. Gentlemen should beware of doing this when they saw such bodies of men in a state of desperate insubordination, for they would increase the danger which now threatened the State, by rendering the House of Commons despicable in the eyes of the people. There was one point more which he must press in the way of a question, and he expected an answer from the highest authority in that House. He wanted to know whether any Member of that House ought to be permitted to vote on a question in which he was interested personally and in a pecuniary sense? They could not even be examined as witnesses in such a case in a court of law, and they would be objected to by the same rule as jurors. He hoped these Gentlemen would feel the delicacy of their present situation, and withdraw when the question was put, and if they did he doubted very much that the Minister would be successful upon the present motion.

Mr.

Mr. Secretary *Dundas* rose in consequence of the last observation which had been made in the course of this debate. With respect to the conduct of any individual Member, he apprehended that nobody had any right to question the motive of it; that must be left as a question of conscience and individual feeling. Every man knew best himself whether he deserved such imputations as had been thrown out that night or not, and he knew of no means of deciding it. He then entered upon the merits of the subscribers, and defended the present proposition in their favour. He thought that Gentlemen might, if they pleased, retire from delicacy upon this point because they were subscribers, but he thought there was a duty upon them paramount to all others, which included feelings of honour as well as every other consideration—he meant the duty of a Member of Parliament to express by his vote his opinion upon every public measure that came before him, and upon that view of the subject he had made up his mind to vote for the question. Should there be any difficulty upon the point of influence, which he did not feel, for although he was a subscriber to the amount of 10,000*l.* he was above being influenced in his vote for a few hundreds. He trusted that other Gentlemen felt as he did; but should there be any difficulty upon that subject, Members might declare their intention of not benefiting by the measure which was now proposed.

Lord *W. Russell* disapproved of this measure highly. He thought nothing of the patriotism of these subscribers, if they accepted of the price which was now proposed to be given for it. Such would be patriotism brought to market, and knocked down by the hammer to the best bidder. There were, however, gentlemen among these subscribers who really felt as patriots ought to feel, and who dissented from this measure, among whom he mentioned, to his honour, Mr. Hoare, a banker, who was a subscriber to the amount of 50,000*l.*

The *Chancellor of the Exchequer* explained. If Gentlemen attached to Government, by subscribing risked a certain sacrifice, and others did not choose to come forward in aid of the public, as there was no limitation or exclusion, it was unfair that any invidious imputations should be thrown out upon the subscriber.

Mr. Secretary *Dundas* also explained.

Mr. *Manning* said, he felt great anxiety upon the present question. He wished to do complete justice, and to do neither more nor less than his duty. He wished, with submission, to put to the Chair a question, which was, Whether a
Member

Member of that House, who was a subscriber, could, with propriety, and consistently with the practice of the House, vote upon the present question? He was not in the House the preceding day. He therefore had not voted. He wanted information upon that point. This was not a remote or contingent interest in the Members of the House who were subscribers, but a direct pecuniary interest. He should be extremely sorry to withhold his vote, if it was right to give it; he should also be sorry to give it, if the practice of the House was against his voting.

The *Speaker* said—"Having been appealed to in so distinct a manner by the Honourable Member who spoke last, it is my duty to state to him and the House what appear to me to be the rule and practice of the House upon questions of this nature. I have always understood the rule and practice of the House to be, that no member can regularly (subject to some qualification) vote on any question which involves in it an immediate interest of such Member. This, I have said, is subject to some qualification. I will not detain the House by entering into the detail of that qualification at present. But when any measure is submitted to the House, the substance of which is to confer a pecuniary advantage, or diminish a loss, which is the same thing, I am satisfied it is not consistent with that mode of proceeding which the House has adopted on occasions of delicacy and importance, that any Member should vote on a measure by which he intends to derive any benefit in case that measure should be carried into law."

Mr. *Manning* said he was much obliged to the Speaker for delivering so clear an opinion; and after a few words, expressive of his situation of a Bank Director and subscriber to the loan, declared he should decline voting upon this question.

The *Speaker*—"I am extremely desirous of being distinctly understood by the House upon this important question. It does not appear to me to be possible for the House, under any existing rule or order, to preclude any Member from voting. But I will state what appears to me to be the practice of the House as far as my researches have gone. The only precedent that I have been able to find analogous to this case, is to be met with in the latter end of the last century, in 1664; there it appears that a Member voted in a question in which he was directly interested, and his vote was disallowed afterwards on a division. If, therefore, any Members vote upon a question which includes that species of interest in the opinion

of the House, the House may afterwards disallow their votes. I must however add, that this applies to benefits which they expect and *intend* to derive. If Members who may be intitled to benefit shall say they do not intend to derive any, it will be for the House to judge whether they will allow their votes. This I understand to be the rule and practice, as appears upon the Journals. The House may undoubtedly make an order for the present occasion, if they think proper. But as the practice stands, the House, although it cannot preclude any Member from voting, may, after the division, annul the votes that have been given under the circumstances which I have stated."

The *Secretary at War* said, that he had no motive for offering a word upon the subject, but his sense of the great importance attending the point now started, and his wish to prevent the House receiving a wrong impression from the rule they had heard from the Chair, to which rule, and the authority it came from, he implicitly subscribed—but if taken in the extent to which gentlemen might wish to carry it, it would go to affect the character and constitution of the House; for few questions could arise in which some or many Members would not be interested. He knew no law that Members should not subscribe to a loan—and why, being Members, should they be precluded from voting for that loan? The true distinction he conceived to be this: the rule applied only where the private interest was great, and the public interest small; but in this case the private interest was small and the public great, and therefore he would vote for the motion. He was no subscriber; but if he was, that should not restrain him from voting. It was easy to see that this, like every other measure, was made use of to degrade and vilify the intentions of Gentlemen who voted on his side, for endeavouring to support the constitution of the House, while those who did so were themselves giving every reason to believe, that they were meaning to destroy the House under the specious pretext of reform.

Mr. *Tierney* called to order. And a doubt seeming to exist of the propriety of the interruption, he said, that it was out of order to say that the Member who made a motion for reform had it in view to destroy the House.

The *Speaker* said the right hon. Gentleman had said no such thing.

Mr. *Windham* replied, that what he had said, and what he would avow, was, that the intention of many reformers was

to destroy the House, without meaning to allude to the hon. Member (Mr. Grey) who brought forward the measure last week, and against whom, on many accounts of a personal nature, and particularly on account of his absence, he would not utter such an insinuation.

The *Speaker* again rose, and observed, that he had always, when appealed to, as in the present instance, given his opinion truly and sincerely, and never hazarded it lightly; but the right hon. gentleman had given a larger latitude to his opinion than what he had said warranted. The House would recollect he had stated there were qualifications. He would, however, repeat the Rule,—“When a measure was to confer pecuniary advantage, or diminish pecuniary loss, no Member who intended or expected to derive any benefit from it, could vote.” There were many cases where the benefit might be contingent or remote; but it was the business of the House to watch them with vigilant jealousy. The House would see the rule completely expressed, in a variety of ways perfectly familiar to them. If a Member signed a petition, he could not himself present it. If a Member was interested in a bill, he could not himself bring it in. These were the ordinary rules of the House, and from them they would deduce the rule that he had stated, and apply it as their wisdom should see fit. In 1664, the voice of a member interested was specially disallowed: and he had taken much pains to inform himself, had conversed with Gentlemen, who, from their situation, were best qualified to give him information, and had attentively examined, and was convinced of the existence of the rule.

Mr. *Bastard* said, he had the most firm and implicit reliance on the judgment and unbiassed integrity of the *Speaker*. No man living was so little likely to utter an opinion that was not sincere, and that was not well-founded, and this was the opinion of the whole country. This was the rule then, and if it had been known the preceding night, the resolution would not have passed, since there were only 14 majority, and the number of interested Members were 14, so that the question was absolutely lost. He reprobated, in strong terms, the habit Gentlemen had fallen into of mutual abuse: one class was determined to support every abuse, and accused the other of destroying the Constitution, and this it was that shook the country, this it was that was used as a system of terror.

The *Speaker* stopped him here, and said his speech was not applicable.

Mr. *Bastard* then proceeded to argue upon the merits of the case, in the same manner in which it had been treated by the other Gentlemen who opposed it, and concluded with giving his dissent to the resolution.

Mr. *Petre* said, that by his subscription he would be entitled to 75l. bonus, but declared this would not in the smallest degree influence his vote; if, however, it was the opinion of the House that he ought not to give one, he should bow to its decision.

Mr. *Jolliffe* declared, he would venture to say, that the House of Commons, instead of being unpopular, stood high in the confidence of the people; but to secure confidence, the House, in his opinion, ought not to adopt the measure proposed.

Mr. *Ryder* spoke to the question of order, and though he did not presume to call the Speaker's authority in question, he contended that the doctrine he laid down was subject to so many qualifications as not to be applicable to the present question.

The *Speaker* again stated the rule as applying only to cases of immediate and direct interest, and that Gentlemen by waving their interest might give their votes.

Mr. *Anstruther*, after professing the highest respect for the authority of the Chair, endeavoured to shew that the opinion delivered by the Speaker was not applicable to the vote of that evening.

Mr. *W. Smith* declined entering into the general question, as there would be many opportunities for discussing it. The honourable Gentlemen on the other side of the House had complained of the refined construction of the question, but he assured them that the country would view it as a very plain one. One Gentleman alone in the House was interested 3,500l. in the decision.

Lord *Hawke* acquiesced in the Speaker's opinion, that those who had an interest and meant to preserve it, had no right to vote on this question, he disclaimed to take any advantage, and voted for the resolution.

Mr. *Sheridan* concurred in every word the Speaker had spoken, but to bring the question to a point, he moved, That the original resolution should be recommitted.

The *Chancellor of the Exchequer* objected to the recommitment, but wished the division to take place on the resolution, and the votes of those interested to be disallowed if they did not disclaim that interest.

Mr.

Mr. *Sheridan* withdrew his amendment.

Mr. *Huffey* said he had been 32 years a member of the House; this was the only loan to which he had subscribed, and as he thought the subscribers had no right to receive back the 5 per cent. he should not only disclaim all individual interest, but vote against the motion.

Ayes,	—	—	36
Noes,	—	—	35

Majority

1

Mr. *Tierney* moved, That the votes of Mr. George Rose and Mr. Huskisson be disallowed, they not having disclaimed their interest in the *bonus* before the division.

Both these Gentlemen having *afterwards* disclaimed that interest, it was contended by the other side of the House, that the disclaimures were sufficient, and that their votes were good.

After a conversation of considerable length, Mr. *Tierney's* motion was negatived.

The *Chancellor of the Exchequer* gave notice, that early after the recess he will bring in a bill upon the resolution.—Adjourned.

HOUSE OF LORDS.

FRIDAY, *June 2.*

DIVORCE BILL.

The House resolved itself into a Committee of the whole House, on the bill for the Divorce of Sir Godfrey Webster Vassall and his lady.

Mr. *Adam* appeared as counsel for lady Vassall, and said, that if one clause relative to the estate was struck out of the bill, he should have no occasion to trouble the House; if it was not, he must beg leave to crave the attention of their Lordships to the objections he had to make to that clause.

Mr. *Garrow*, as counsel for Sir Godfrey Webster Vassall, observed that he was not in any manner instructed to argue upon that clause being retained in the bill, but was attending to hear the result of the determination of their Lordships.

Lord *Auckland* requested the attention of their Lordships for a few moments. He said, there was a clause in the bill which required their Lordships to give the estate therein mentioned

tioned to Sir Godfrey Webster Vassall, an entire stranger to the estate. He conceived this to be contrary to every principle of law, and moved to have that clause expunged.

Lord *Romney* confessed his doubts upon the subject, and requested the opinion of the learned Lord on the woolstack to remove them.

The *Lord Chancellor*, from the cross bench, delivered his opinion in favour of the clause being expunged. His Lordship said, that where there was any ground of right residing in the husband to the estate, or any part of it, the House would certainly interfere in his behalf; but in the present case it appeared that Sir Godfrey Vassall was an entire stranger to it. Where the husband had a claim on an estate for life, in right of his wife, which of course by the marriage vested in him during her life, or where he could claim under the courtesy of England, as having had issue by the marriage vested in him during her life, in all such cases the House would interfere, but in this case, the grandfather of the lady having left all his estates to his grand-daughter, the present lady Vassall, for the House to interfere, and to give away an estate, in direct opposition to the will of the testator, for Sir Godfrey Webster Vassall under all the circumstances of the case, was to all intents and purposes a stranger to the estate. There was another clause which he also thought repugnant to law, and which ought also to be excluded.

Lord *Romney* confessed himself to be perfectly satisfied with the opinion of the noble and learned Lord.

The two clauses were ordered to be expunged, the report was received, and the bill ordered to be read a third time the next day.

VAGRANT BILL.

It was moved that the Committee on this bill be deferred till Thursday next.

The Earl of *Radnor* said, that as he could not attend on Thursday next, he begged leave to observe, that there were several hardships in the bill to which the wives of soldiers and sailors were subjected, which he hoped would be attended to. They were such, he said as he had heard a whole bench of justices declare, they would not put the law in force on them. (*This declaration was not made on the bench.*)

The *Lord Chancellor* agreed with the noble Lord in a great many of his observations. And as to the observations of the justices,

justices, in the way they had made it, he thought they had not only shewn their knowledge of the true meaning of the law, but had particularly evinced their prudence in acting under it. He hoped, therefore, their Lordships would give the subject every possible degree of mature and deliberate consideration against Thursday next.

CONSIDERATION OF HIS MAJESTY'S MESSAGE.

Lord *Grenville* moved the order of the day for the House to take into consideration the message from the king on the mutiny of the seamen. The message being read,

Lord *Grenville* said, he was perfectly persuaded there was but one voice in the House, and in the country at large, with regard to the subject of the message which their Lordships had just heard read. Every good man must deeply regret, that the class of men to which the message referred, who had been the pride and glory of Britain, upon whose valour and exertions the security of the country at all times so much depended, every man must regret that they had so far forgotten every principle of duty, and had acted in a manner so inconsistent with the genuine character of British seamen. If such conduct was persevered in, it must be attended with the most dreadful consequences to the country. It was matter of astonishment that the insinuations and arts of any man whatever could so far influence the minds of the brave defenders of their country, for brave defenders they had been, as to seduce them from the regular and ordinary discharge of their duty. They had not only been guilty of divers acts of mutiny and disobedience of orders, but had even proceeded to other acts of the most heinous and treasonable nature. They had so far deviated from their former character of pride and honour; as to turn their backs on their country at this important conjuncture, when their services were most of all wanted; and when the security of the country, and of every thing that was dear and valuable, rested so much upon their exertions and loyalty. Under these circumstances he was determined, and every man in the House and in the country must be determined, to adopt with firmness and decision such measures as the nature of the case seemed to call for. To attempt to impress on the minds of their Lordships the necessity of such measures, would only be a waste of time; and imply a doubt, which his Lordship declared, he did not entertain, of the universality of the sentiment in that House, as well as through the whole country.

He

He should therefore move, "That an humble Address be presented to his Majesty, to return his Majesty the thanks of that House for his most gracious communication, and to assure his Majesty that that House would most heartily co-operate with him in adopting every measure which could tend, at the present important crisis, to provide for the security of the public, &c."

When the *Lord Chancellor* put the question on this motion, it was carried *nem. con.*—Adjourned.

HOUSE OF COMMONS.

FRIDAY, June 2.

SCOTCH MILITIA.

Mr. Secretary *Dundas* said, he had to call the attention of the House to the state of the military force in Scotland. The object of the motion with which he should conclude, was to increase the military force so far as might relate to any attempts of the enemy in that country. Should there be any alarm of invasion there, the best way was to trust to the ardour of the people, who had manifested a disposition already, that clearly proved that those who had arms would use them against the enemy, and those who had not any arms wished to have them. To encourage that spirit, he moved, "That leave be given to bring in a Bill to raise and embody a Militia Force in that part of Great Britain called Scotland." Leave given.

Mr. *Rose* brought up a Bill for granting additional Duties to his Majesty on Distilleries in the Highlands of Scotland, and for altering the limits thereof, &c. Read a first time, and ordered to be read a second time on Wednesday next.

A Message from the Lords informed the House, that their Lordships had agreed to the Address of the House to be presented to his Majesty, relative to the promulgation of the Statutes.

Mr. *Abbot* moved, "That this Address be taken into consideration on Wednesday." Ordered.

SEAMEN.

The *Chancellor of the Exchequer* moved the Order of the Day, for taking his Majesty's Message into consideration.

The Message being read,

The *Chancellor of the Exchequer* proceeded to the following effect:

Important as the present occasion is, I feel that it will not be necessary for me to detain the House with a long detail upon the subject of the Gracious Communication from the Throne, which

which has now been read to us. By that communication we learn that all the benefit of his Majesty's gracious favour, which restored satisfaction to part of his Majesty's forces, was attended with every mark of duty and gratitude by that part, and were extended to the whole of his Majesty's fleet; but that nevertheless there are now at the Nore deluded persons who have persisted in disobedience, and proceeded to open acts of mutiny and disorder, although all the same benefits have been allowed to them; the same liberal allowance which was agreed upon by Parliament, and his Majesty's most gracious pardon, has been offered to them in the same generous manner as it was to those who have returned to their duty. We have the mortification now to learn that mutiny is carried on to the most dangerous and criminal excess, to such a length, that the persons concerned in it, have gone into open and undisguised hostility against his Majesty's forces acting under orders and commands from regular authority. Much as we must deplore such events, much as we must feel them as an aggravation of the public difficulties with which we have to contend, yet I am sure we all feel it to be the duty of the House of Commons to shew to its Constituents, and to the world at large, that there is no difficulty which they will not meet with firmness, and resolution decisive; that we will take measures to extricate the country from its difficulties in a manner that is worthy of the representatives of a great, a brave, a powerful, and free People. I am persuaded, that under our present circumstances, we can have no hesitation in laying at the foot of the Throne an Address of assurance, that we will afford his Majesty every effectual support in our power; that we will counteract, as far as we can, so fatal an example as has, by the most consummate wickedness, been set to his Majesty's Naval force; that we will shew that we feel a just indignation against a conduct so unworthy of, so inconsistent with the manly and generous character of British Seamen; that we feel resentment at so ungrateful a return to the generosity of a liberal Parliament, and the mildness and benignity of an illustrious Throne. I trust that we shall recollect what our duty is in such a conjuncture. I trust too, that as these late proceedings are utterly repugnant to the real spirit of the British Seamen, contrary to the conduct which has established the glory of the British Navy, and the renown of the British Nation, it will appear that it was not in the hearts of the British Seamen that such inutinous principles originated. I trust that we shall shew also, that if there are among us those who are enemies to the fundamental interests of this country, to its glory, to its safety, and to its existence as

a nation, whose malignity is directed to the honour and even existence of our Navy, who carry on their diabolical artifice by misrepresentation of facts, to pervert the dispositions and change the principles of the Seamen, by instilling into their minds false alarms and apprehensions, and prevail upon them to do acts contrary to their instinct, and that too when they are called upon to contend with an enemy, I trust, I say, that if there be among us such foes, that they may be detected and dealt with as they deserve. Our indignation should be more active against the seducers than the seduced and misguided.

Whether, according to the existing law against the open attempts that we have seen made upon another branch of his Majesty's service to shake its loyalty, but which, to the honour of that body, remains unmoved, and I trust is immovable, we possess power enough to punish, as they deserve, such wicked offenders, may be a matter perhaps of doubt. I shall, however, instantly proceed to that part of the recommendation in his Majesty's Message, and to state my ideas upon the law against persons who shall excite his Majesty's forces to mutiny or disobedience. It is not necessary for me to enter now into particulars upon that subject; but I feel it my duty to state, that if the Address which I shall move shall meet, as I hope and confidently trust it will, the unanimous sense of the House, I shall immediately move for leave to bring in a Bill for the better prevention of the crime I have already stated. There is great criminality in the offence itself, and in my opinion great danger in delaying to provide a remedy against it. There is every ground on which the principle of penal law proceeds to provide some remedy. The heinousness of the offence, and the danger of it, but, perhaps, that may not pass unanimously; However, I confess it appears to me that by the law as it stands, we cannot properly reach the atrociousness of the guilt, and prevent in time the effect of the malignity of the criminals, whose intentions we all feel it our wish, as much as we know it to be our duty, to counteract; and while we all feel it to be our duty to enter on the consideration of such legislative provision, I trust we all feel also, that it is our duty to express our firm persuasion, and I am confident I shall not be disappointed, that the public will be convinced, that Parliament is not wanting in its duty at such a crisis of public affairs. I trust also, that we shall not be disappointed in our expectation of the spirit of the public collectively, or individually; that they will not be wanting in their exertions in such a crisis; that they will be animated collectively and individually with a spirit that will give energy and effect to their exertions; that every man who

who feels that he deserves the name of an Englishman, will do his utmost endeavour to counteract the machinations of all incendiary persons who wish to turn his Majesty's forces out of the path of their allegiance; that every man in the kingdom who has a heart in his breast will do all he can to counteract the spirit of disaffection and disloyalty, and will enforce, as far as he lawfully can, a spirit of submission to regular authority; that all the inhabitants of the kingdom will unite in one common defence against internal enemies, to maintain the general security of the kingdom, by providing for the local security of each particular district; that we shall all remember, that by so doing we shall give the fullest scope to his Majesty's forces against foreign enemies, and also the fullest scope to the known valour and unshaken fidelity of the military force of the kingdom against those who shall endeavour to disturb its internal tranquillity. Such are the principles which I feel, and upon which I shall act for myself; and such are the principles, and will be the conduct, I hope, of every man in this House and out of it; such are the sentiments that are implanted in us all; such the feelings that are inherent in the breast of every Englishman. I should insult the House by shewing that I distrusted its character, and the character of the country if I said more, and I should have neglected my duty if I had said less. I now move you, That an humble Address be presented to his Majesty.

"To this purport: To express the concern and indignation which the House feel at the heinous conduct of those who had attempted to seduce the seamen from their duty and allegiance; to assure his Majesty that they were ready to afford the utmost assistance to the paternal endeavours of his Majesty to restore discipline and subordination in the Navy, and to adopt every measure which can tend at this important conjuncture to provide for the public security; and that they would proceed without delay to consider of making more effectual provisions for the prevention and punishment of all traitorous attempts to excite sedition and mutiny in his Majesty's services; or to withdraw any part of his Majesty's forces, by sea or land, from their duty and allegiance to him, and from that obedience and discipline which are so important and necessary; and to assure his Majesty that the House of Commons had the fullest reliance on the loyalty of his Majesty's subjects, and that they would be eager to contribute their utmost exertions upon every occasion for the support of legal authority, the maintenance of peace and order, and the general prosperity and safety of the British Empire."

Mr. *Fallisfe* said, that, however cautious the House ought to be in extending the code of penal statutes, yet he thought it impossible but that the motion now proposed by the right hon. Gentleman would pass unanimously in that House; for, whatever sentiments persons might entertain with regard to different forms of Government, or the merits or demerits of the individuals who were concerned in the administration of affairs, there could be but one opinion upon this point, that there must be discipline and subordination both in the army and navy; without which, it was impossible that the country could repel the attacks of foreign enemies, maintain internal peace, or, in short, that civil society could subsist. He trusted, therefore, that whatever objections the country might have to the component branches of administration, yet, that when they saw the necessity of exertions against both foreign and domestic enemies, they would act with that spirit and unanimity which the exigency of circumstances required.

Mr. *W. Smith* said, that there was no man in the House who felt more than he did the propriety of the sentiments conveyed by the speech of the Minister upon this occasion, and the propriety of the spirit of the Address. He should endeavour so to conduct himself as to leave no room for any one to doubt the sincerity of his professions. But he deplored that species of eloquence which had been used in and out of that House, by which it was endeavoured to shew that Ministers were identified with the safety of the Constitution of this country. However, he should concur in the present measure, at the same time holding himself free to express, either out of that House or in it, whatever appeared to him to be against administration, without impeaching the sincerity of what he was now doing.

Mr. *Sheridan* said, that whatever difference in political opinion might prevail among gentlemen in that House, they were now come to a time when his Majesty had an undoubted right to call upon all his subjects, of every rank, class, and description, for their zealous co-operation in maintaining the due execution of the laws, and in giving every possible efficiency to the measures of Government. However justly it might be contended, that there did exist strong grounds of reprehension and causes for future complaint against administration, yet such considerations were, in his opinion, at that moment completely out of the question, and the House was now called upon to enter
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most earnestly with his Majesty against the fatal effects that might be produced by the perseverance in mutiny, and the dangerous disobedience of those ships mentioned in his Majesty's most gracious message. He once did intend to have submitted to the House, a proposition, the efficacy of which appeared to his mind so powerful, that it would, if adopted, have prevented the subject of the present discussion from taking place. But such a measure was now become useless, and from the events which had since happened, improper to be applied as a remedy. He lamented that the proceedings of the Lords Commissioners of the Admiralty had not proved successful, but he was induced to believe, that the failure arose, in some degree from the manner in which they were conducted. While some matters were granted, some were refused, and when a Board of Admiralty had come down, after giving their refusal to the demands of the sailors in the first instance, nothing was, in consequence of such a compliance, apprehended as a danger on the part of the seamen, however extravagant their terms might be made. In alluding to the proposition which he meant to have submitted to the House, it was his intention to have moved for the appointment of a commission, composed of men of all parties and descriptions, who might in their proceedings have been empowered to examine the claims of the seamen, to have acceded to those that appeared just and well-founded, and to have rejected those which were improper in their nature, and imprudent and dangerous to grant. Thus a commission, formed in the way which he wished, would have come at once to a definitive conclusion, by expressly stating, "We have gone thus far in agreeing to your demands, and no farther will we make concessions, which we conceive both dangerous and unjust." Though he sincerely deplored that the proposition had not been carried into execution, he was ready to admit that it was now become useless. The fatal perseverance in the mutiny, had placed the country in the situation described by the right hon. Gentleman, (Mr. Pitt) and no person could feel more indignation against the foul incendiaries who had caused it, than himself. He was at first induced to think, that the mutineers had acted under the impulse of momentary delusion and mistake, but their subsequent and continued conduct convinced him, that something more than delusion operated on their minds, and that a rooted spirit of disobedience had taken place of those manly and loyal sentiments with which they had been on former occasions,

occasions; constantly animated. If there was, indeed, a rot in the wooden walls of old England, our decay could not be very distant. The question, as it evidently appeared to his view, was not about this or that concession, but whether the country should be laid prostrate at the feet of France? It was, in fact, a matter of no moment, whether it was laid prostrate at the feet of Monarchical or Republican France, for still the event would be equally fatal, equally destructive. The national commerce would necessarily prove the great object of the enemy's vengeance, and those mistaken men, who might be instrumental in producing so dreadful a crisis, would suffer most essentially in their dearest interests. Having said thus much with respect to the first part of the address, he felt himself called on to declare, that he could not give his consent to the latter part of it, for he was convinced, unless the House would make a necessary distinction between giving their firm and decided support to the Executive Government, against both foreign and domestic enemies, and between identifying the present Ministers with the government of the country, nothing solid and beneficial could be done for the public safety. He could not abstain from charging his Majesty's Ministers with having produced by their weak and imprudent conduct, the calamities in which the nation was involved, although he perfectly agreed with them in expressing his indignation on the subject under discussion; and when he came to consider the manner in which the Treason and Sedition bills were announced, somewhat of an equal pledge with the present was pressed upon the House. He was, consequently justified in expressing his reluctance to assent to that part of the address which respected the extension of the criminal code, on the same grounds, as he objected to pledge himself to agree to the two bills which had passed. He should consider himself bound to look, with a very jealous eye on any measure of the legislature, which went to increase the number of sanguinary penal laws. It was necessary, first, to enquire and ascertain, whether the present laws were deficient for the attainment of the ends proposed in the address, and he could not but recollect, with great regret, that an act somewhat similar in its nature to that proposed by the right hon. Gentleman, had been passed in another country. If the bill went, therefore, to extend the sanguinary code of penal laws, without strong and sufficient grounds, he should consider himself warranted in withholding his assent to that part of the address. For
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that mode of legislation had been continually, and systematically increased under the present Administration; and what was to him a most important consideration, it had uniformly produced the very evil which it was intended to prevent. It was not requisite for him to reason at any length in support of that opinion, since facts operated so fatally to enforce it. He would ask, was not the present mutiny a proof that the spirit of sedition had increased, notwithstanding the bills which had been introduced by his Majesty's Ministers? They had also thought proper to adopt another remedy, which was conceived to be effectual. They had established the system of barracks, on which millions of the public money had been expended, and the House was then told that such a system would keep the soldiers out of the way of seduction, and prevent them from being exposed to the intrigues of the emissaries of faction. The House was also told, that if the people could not be dumb, the soldiery should be made deaf. There was, he maintained, no proof whatever before the House to shew that there was any deficiency in the existing laws to provide for the evil complained of, and until that proof was fairly made out, Gentlemen could not, with any degree of consistency, pledge themselves to give their support to the bill. Knowing, from experience, that the moment the Legislature should agree to increase the code of sanguinary penal laws, they would also agree to increase the evil intended to be remedied; he could not therefore give his assent to that part of the Address. But as the right honourable Gentleman wished so very much for unanimity in Parliament on a subject he was ready to confess of the most serious importance, he should not, for his part, interrupt that unanimity, and he would therefore vote for the Address.

Mr. Secretary Dundas concurred entirely with Mr. Sheridan in a great part of his speech. His country was much indebted to him for his conduct in the whole of this most important subject, and more so still for his excellent reasoning and eloquence against mutiny that day. He should not weaken the force of that eloquence by going over the subject again. He rose chiefly for the purpose of correcting a mistake which he wished neither that honourable Member, nor any Gentleman in or out of that House, to be under; it was that of an idea that the Board of Admiralty had made concessions to the sailors at Sheerness. The fact was, that they had made no such concessions. At first it was desired to go down; and they refused to go. Had they gone then they would have been criminal, for it was then intended to propose certain terms to the seamen, different from those which had been granted already to the

the fleet at large, when the affair was settled with the fleet under the command of Lord Bridport; they therefore refused to go down to grant any redress as it was asked for. They afterwards understood that granting his Majesty's pardon would be sufficient. Had they refused to go down for that purpose he thought they would have been criminal. For this purpose they did go, but finding it was not sufficient, but that a negotiation was proposed for redress of grievances, they came away, after saying they would enter into no negotiation for the redress of grievances, and would only grant the terms which were accepted by the fleet under the command of Lord Bridport, and extend his Majesty's pardon to what had passed.

With regard to what had been urged by the honourable Gentleman in the concluding part of his speech, upon a closer view of the subject he trusted that his own good sense would shew him there was no necessity for his withholding his support to the Address on account of the objections which he had stated, for that there was no idea of making any provision of a sanguinary nature; it was only that which, he was persuaded, the judgment of the honourable Gentleman would approve. Having said this, he not help again saying, he wished for the acquiescence of the honourable Gentleman who spoke last to the whole of the Address, for the public were much indebted to him for the very patriotic part he had taken in the course of discussions on this unhappy mutiny.

Mr. *Baker* thought the honourable Gentleman intitled to praise for much of what he had said that night. He wished, however, he had avoided some expressions which might be attended with bad effects. The honourable Gentleman had certainly a right to deliver his sentiments upon the propriety of barracks; but in doing so he wished he had not thought it necessary to quote the language of a right honourable Gentleman, and had not marked the circumstance in the manner which he did. ~~It was impossible to pass along the streets without seeing and admiring the loyalty of the soldiers. He believed that this spirit of disaffection did not go into the hearts of the British seamen, and that in every ship it extended but to a small part of the crew; and he had every reason to believe, from various sources of information which he had access to, that the great body of the sailors were extremely loyal, and would soon return to their duty. He said, this was a subject upon which he felt so much, that he could scarcely express himself, and he should not have troubled the House but from a wish to pay his tribute to the honour of the British soldiery.~~ It was impossible to pass along the streets without seeing and admiring the loyalty of the soldiers. He believed that this spirit of disaffection did not go into the hearts of the British seamen, and that in every ship it extended but to a small part of the crew; and he had every reason to believe, from various sources of information which he had access to, that the great body of the sailors were extremely loyal, and would soon return to their duty. He said, this was a subject upon which he felt so much, that he could scarcely express himself, and he should not have troubled the House but from a wish to pay his tribute to the honour of the British soldiery.

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Mr. *Hobhouse* agreed with the sentiments which had fallen from so many Gentlemen in the course of this debate. He was seriously sorry for the conduct of the seamen, and felt the strongest indignation against those by whom they had been seduced. But he could not avoid saying that this Address appeared to him to contain language, and to hold out a pledge, which it ought not. The House were called upon by this Address to say, that they would consider what farther regulations would be necessary. This was acknowledging, in the strongest manner, that the existing laws were not sufficient for the purpose. He, however, should give his vote for the Address, reserving to himself the right of combating the bill whenever it should be brought forward upon any ground he should think proper. And if the right honourable Gentleman would prove to him the existence of these attempts, that the law, as it now stood, was not adequate, and that the bill so brought in was calculated to effect its object, then he should vote for the bill. An honourable Gentleman (Mr. Baker) had rebuked an honourable Friend of his (Mr. Sheridan) for noticing the language used by a right honourable Gentleman upon the subject of the barracks; this was what he could not submit to, for it tended to destroy all freedom of debate. But if his honourable Friend was imprudent at present in the allusion which he had made, the honourable Gentleman on the other side was equally imprudent in noticing it, and thereby making it more observable. It gave him great pleasure to hear the honourable Gentleman say, that the heart of the seamen was still sound. He hoped and trusted the honourable Gentleman's information was true, and that they would once more prove the honour and security of their country.

Mr. *Baker* explained.

The *Chancellor of the Exchequer* declared, that in expressing his anxiety for unanimity in voting the proposed address, he was indeed influenced by the most important considerations. He wished for such an unanimity as would lay a just foundation for future prosperity, for one on which he placed the most favourable augury, the unanimity of the nation at large; an unanimity not in support of Administration, but in support of the Constitution itself, and of all those laws by which it was guarded. The country was called upon to be unanimous in a contest which embraced every thing that was most valuable to its dearest interests. Whatever difference of opinion might prevail in the minds of Gentlemen on former points, there could not exist a shadow of doubt with respect to the present question. It was now indispensibly necessary for them to

unite in one common cause; it was incumbent on them to consolidate their efforts, to reconcile their different views, to concentrate their individual exertions, and to give energy and vigour to the laws, without which it was impossible there could be any solid happiness. It was not merely by declarations that they were bound to proceed, but by a spirit and promptitude of action, and a firm resolution and readiness to support the execution of the laws by military subordination and legal obedience. It became their duty to give a resistless efficacy to that conduct through every corner of the metropolis, and through every part of the kingdom. By such measures they could alone disappoint the dark and malignant efforts of the enemy; and he was proud to say that to so glorious an unanimity there was nothing that he would not cheerfully sacrifice; He therefore hoped that nothing would in fact be found in the latter part of the Address that could in the slightest degree tend to destroy the unanimity of the House in agreeing to it. When he came to consider the nature and the terms of it, he was completely at a loss to find one word that could appear objectionable. The House could not be supposed to pledge themselves particularly to agree to the bill which was about to be brought in. They merely pledged themselves to this, that, in pursuance to his Majesty's recommendation to Parliament to make more effectual provision, for the purpose of strengthening the present laws which related to military obedience and discipline, they would consider of the propriety of those measures which might be deemed necessary for that specific object. The House, therefore, in voting for the Address; went no farther than to declare, that they would act in compliance with his Majesty's recommendation; but did not preclude themselves from taking into their mature consideration the nature of the bill, nor did they by such a vote debar themselves from withholding their assent to any matter that might appear objectionable in it. But though he was so particularly anxious to secure unanimity in passing the Address, he did not, with a view of obtaining that desirable measure, wish to conceal or protract the delivery of his sentiments on any part of it. His conviction of the propriety of the bill was formed on the ground of the greatest necessity, and strongly impressed with the idea that it was absolutely requisite to give dispatch to the operation of it, he should move, the moment the Address was carried, for leave to present the bill, and if it was then agreed to, he should also propose the second reading of it to take place the next day. He also thought it necessary to premise, that the further discussion of the bill would be carried on as speedily as possible. An honourable

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Gentleman, who had spoken against the latter part of the Address, declared, that he reserved to himself the liberty of opposing the bill. A declaration of that nature was by no means necessary, because no Gentleman could be supposed to pledge himself to measures which he had in all instances the freedom of discussing and disagreeing with. He would not undertake to convince the scruples of an honourable Gentleman (Mr. Sheridan) on every point which was contained in the latter part of the Address, but he entertained an opinion that he was competent to do so on some points which appeared peculiarly satisfactory to himself. The provisions of the bill did not go beyond the necessity of the case, and this statement he would undertake in the most direct and positive manner to support; but if the honourable Gentleman meant that it was requisite to prove the existence of particular acts on board each of his Majesty's ships which were then in a state of mutiny, he should freely declare that he would undertake no such thing. He took the ground of proceeding with the bill to be derived from a plain and fair opinion, on which the public mind and Parliament might be fully satisfied as in many other cases of equal notoriety. That the speeches of this or that emissary of faction and general anarchy had produced mutiny in particular ships, he would not pretend to say; but the public opinion with respect to the disorganized state of these ships, and the causes which had first produced the disobedience, and continued to uphold it, was founded on grounds unhappily too notorious in all instances, too much felt in some cases, too strongly proved, but fortunately defeated in others. On these grounds he should therefore propose the bill. He thought it necessary, in consequence of what had fallen from Gentlemen, to submit these candid statements which decided his conviction on the propriety of the measure, and he begged pardon of the House for having troubled them a second time, but he felt, from the great importance of the subject, from the pressing exigence of the case, and from the present crisis of public affairs, that it was the duty of every man zealously to unite in a measure which, by securing the obedience and discipline of his Majesty's forces, preserved the country from the efforts of its domestic and foreign enemies.

The question was then put on the Address, which was agreed to *nem. con.*

The *Chancellor of the Exchequer* then rose, he said, to move for leave to bring in a bill for the better prevention and punishment of all traitorous attempts to excite sedition and mutiny in his Majesty's service; or to withdraw any part of

his Majesty's forces by sea or land from their duty and allegiance to him, and from that obedience and discipline which are so important to the prosperity and the safety of the British empire. He had already stated, he observed, that if any person required substantial evidence of any individual malpractices to excite sedition and mutiny in his Majesty's service, he was not at present in the possession of the power to produce it; but he trusted it would be enough for the satisfaction of the House to authorise the introduction of the bill to state the necessity on general grounds. It would be enough he conceived, to obtain their sanction, and their approbation of the measures he was about to recommend, if the frequency, the malignity, and the universality of seditious practices were so notorious, and in the daily habit of coming to the knowledge of every person both in and out of that House, that no reasonable man could dissent from his Majesty's declaration of the necessity to provide for security in future. It might be more immediately his duty to state, as a convincing proof of the existence of one active, uniform, and wide-extended plan of sedition to seduce his Majesty's forces from their duty and allegiance, that the discontents did not originate with any single individual, that they were not confined to one corner of the kingdom, nor contracted in one circle of complaint, but that they had manifested themselves in different detached parts, were working at the same time, and in different places on the same principles, and branched out into so many fresh ramifications of complaint, that no person could foresee where they would end. Many and various had been the attempts to excite this disaffection, by false, insidious, and calumniating means, sometimes provoking rebellion by emissaries at secret hours, sometimes by misrepresentations, and other artful means, and at others by dispersing hand-bills wherever opportunity presented itself or any expectation of success in their pursuits could be indulged, to detach the soldiers also from their duty; so that the engines of sedition had been no less busily and unremittingly persevering on shore, where to the honour of the soldiery he had the happiness to say, they failed in their effects, than in the navy where they had unfortunately prevailed. Here then, he had an opportunity of observing, that Gentlemen needed only to connect the discontents on board the fleet with the other species of sedition upon shore, to pronounce them to be the operations of one fatal and too-well digested system; for that they were not the spontaneous combinations of the seamen, that they were not the effects of accident, nor the effusion of one solitary and unconnected discontent was demonstrated

demonstrated by the conformity of transactions at Newcastle, at Nottingham, at Maidstone, at Canterbury, at Salisbury, and many other places, where the same species of hand-bills had been scattered and diffused, accompanied by rumours echoed and re-echoed of the most false and scandalous nature; and where, in some unhappy instances, a few deluded or ill-minded people had set the same melancholy example. A more studied system could not offer itself to the thought of any man; a more practicable plan of treason to provoke a general rebellion could never be attempted to be put in execution. From such specimens therefore it was evident the sedition was extensive enough to prove it to be systematic, and dangerous enough to make precaution requisite. Could any person doubt the existence of some treacherous conspiracy? Could any person wish to have a proof of its existence when its existence had already been attested by numerous instances of loyalty and fidelity in the soldiery, who with honest and honourable indignation, had not only been wise and resolute enough to repel it, but had also voluntarily stepped forward in the most liberal and manly manner to discover the offenders? With this notoriety of a disgraceful system to corrupt one service, where it had so nobly been defeated, how could any man doubt of its insinuation and its influence in another? A quarter too where such opinions and such measures were the least congenial to the natural dispositions of the persons who professed them. The whole affair was of that colour and description which proved it to be not of a native growth, and left no hesitation in the mind of any thinking man to determine whence it was imported; but on the contrary, it was so uniform and particular in its species, and so like every sample of what they had witnessed in another country, that there was no doubt the propagators of it there had executed a previous determination to transplant it into every soil that would receive it. Could any man for a moment doubt, he again demanded, that the same engines had not been at work in this country, to produce disorder and rebellion which had been elsewhere so fatally effectual? Could any man doubt it with the knowledge of the frustrated endeavours in the army, and the suspicion of the same endeavours in the navy? That knowledge and that suspicion was, in his opinion, all the proof the legislature could require. But if that were deemed sufficient proof, and upon that evidence it was thought not only prudent but absolutely necessary to confine its operations, and, if possible, inflict a penalty on the offenders no man could doubt but its operations

operations would have been confined within some bounds of restriction long ago, if the penal laws were competent to recognize such machinations and punish the delinquents. The boldness, the malignancy, the frequency of the offences, all tended to confute that proposition. But he would put it to the decision of every man who heard him, were the laws now in being sufficient to deter men from the prosecution of their evil purposes? That they had not deterred them was plain from the mutinous proceedings still existing; and as they did not deter them from pushing those proceedings further, it was a reasonable ground for the presumption that the laws in force were not sufficient. Look at the statute laws, find out their origin and examine their extent. Had the statute law ever endeavoured to search out every possible offence, and provide for its prevention and its punishment? Certainly not! The statute laws of this country were not the result of an original deliberative systematic code, but the natural effects of the commission of crimes, arising from their frequency and heinousness, and proportioning the penalties accordingly. They grew up from the offences which they afterwards controuled, and their character and complection distinguished them to be the produce of different periods. What then would be the principle of any one's argument who should contend, that because no particular law nor any particular penalty has been yet provided by the legislature, none should be provided? His argument would in such a case apply just as much, if he were to contend that no law or punishment should be in force against parricide, because, by referring to the statute books, he might find, that there was a time when no such law or penalty existed. He rested the introduction of this bill, therefore, upon the general footing of common law; and as the offence exceeded the provision for subduing the ordinary species of treason, and was in its nature of a particular and extraordinary description, he should act upon a principle of the common law, in which a proof of the expediency to alter or extend a particular law was given by this circumstance. Formerly, to entice any of his Majesty's forces to desert from his service was only a misdemeanour, but soon after the accession of the family of Hanover to the throne of these dominions, that law was revised and altered, and any person found guilty of that offence, incurred an additional penalty. Would any man pretend to say then, that a person found guilty of enticing any of his Majesty's forces to desert, should incur a heavy penalty, and that they who enticed his forces (not to desert) but

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to employ their arms in breach of their allegiance should go unpunished? Indisputably not! And for that reason he had undertaken to provide such a remedy as to him appeared most likely to prevail. He regretted that the offences were so secret and so complex in their nature, that it was impossible at present to define them, and under those circumstances he was sorry to add, he could not propose any measure so definite as he wished it. In point of moral guilt, the persons who had been so artful and so active in their operations to seduce the forces from their allegiance, and excite them to rebellion at so dangerous a crisis of the public safety as the present, were the worst traitors to society, and certainly deserved the highest and most exemplary punishment; but on the other hand, as the precise nature and extent could not be determined, he thought the medium would be the best and most serviceable way to proceed against them. Having said thus much, both by way of proof of the necessity of some restriction, and his opinion of what that restriction ought to be, he should now come to the description of the remedy he intended to propose. What he had to propose then was, to treat any traitorous attempt to excite sedition and mutiny in his Majesty's service, or to withdraw any part of his Majesty's forces by sea or land from their duty and allegiance, as an aggravated species of misdemeanour, leaving to the discretion of the court the power of inflicting not only the penalties of fine and imprisonment, as in other cases of misdemeanour, but as circumstances might require, the penalties of banishment and transportation also. This was a short statement of the measures he meant to propose, and wishing to be cautious how he contributed to extend the criminal laws of this country, he was willing to press his restriction of the offences he had described in this shape in preference to any other. The penalties for such offences could not, in his opinion, press too much, consistently with the future security and happiness, and in the mode he had suggested to the consideration of the House, he hoped and trusted they would not be found to press too little. He therefore moved for leave to bring in the bill.

Mr. *Jolliffe* agreed in the right honourable Gentleman's opinion of the atrociousness of the crime, and thought if the punishment was greater than in ordinary cases of treason, it would not be too much; but he objected to the exercise of any discretionary power in courts.

Mr. *Brandling* approved the measure, and suggested whether it would not be politic to provide rewards for the discovery of the offenders.

Mr. Serjeant *Adair* said, he never rose with more anxiety than

than he did that evening, when it became a part of his public duty to join in the provision of restrictive measures against the most atrocious acts that ever were committed, and that at a time too, when the country was in a most dangerous crisis. Still, however, he felt it his indispensable duty to state his opinion of those measures, however necessary, although that opinion should happen to oppose them. The disgraceful proceedings which had characterised the two last weeks, he trusted had produced but one sentiment in the minds of every well-affected person to the family upon the throne, and to the Constitution, both within and without that House. Proceedings which had at once tarnished the glory and weakened the safeguard of the British Empire, could excite but one motion, and but one opinion. Neither he, nor any man he supposed, could for a moment doubt that such novel and pernicious proceedings had been produced by a concerted plan of persons inimical to the real safety and happiness of the country; nor could any one doubt that such proceedings called at least for temporary measures of exertion. So far he could not too much commend the right honourable Gentleman for his endeavours to destroy this dangerous sedition; but when he came to consider the remedy proposed, and considered also that penalties were to be in force against offences which were pronounced to be indefinite, he felt himself obliged to refuse his approbation. This he did, because the penalties, in his opinion, appeared to be in a great degree inadequate to the enormity and criminality of the offence. Feeling the necessity of that principle, which for the benefit and preservation of society ordains that crimes should be redressed, he had notwithstanding felt as much as any man that they were likely to be redressed better by mild than sanguinary laws; but nevertheless in the present instance, he felt it his duty to state his opinion that the punishment and description of the offence were so inadequate that he could not give his consent. He did not rise however to oppose the motion for leave to be given to bring in the bill because the title extended so far as to admit any future alteration, but he would not give his vote in silence to that motion, although he had no objection to it after the right honourable mover had so distinctly explained the substance of the bill, lest his silence should hereafter have been construed into an assent to every proposition which the bill contained. He had two reasons for objection: the first was, because he thought no punishment, however severe, could be adequate to the offences which that bill described, for the offence was equal to the worst description of treason, and deserved the severest and most exemplary punishment,

ment, instead of which a penalty was proposed to be inflicted, by no means proportionate to the enormity of the offence. But as the offence was involved in various circumstances, perhaps one of the reasons which deterred the right honourable mover from fixing the penalty at a higher rate, was the one that prevented him from giving the offence a definitive description. The second reason for objection was, that by nominating the crime a misdemeanour only, they were likely to produce a difficulty and delay in the punishment of the delinquents that would be very imprudent both upon the score of policy and justice, and inconsistent with the pressure of such dangerous proceedings, for it is in the power of any offender in a misdemeanour to delay trial, and God forbid, if the conviction of the crime of exciting the forces of this country to rebellion were brought home to any one, that he should have it in his power to delay justice. In regard to the first objection, he felt himself obliged to express his opinion, that however unwilling he might be to multiply the penalties of death, and he believed, according to our present criminal code, that penalty was too often inflicted, yet, in the offences now described, to excite sedition and mutiny in his Majesty's forces, and turn the strength of the country into its own vitals, at a time when the country was convulsed at home, involved in a war abroad, and exhausted in its resources by the inevitable expences of that war, not only death should be incurred, but death in more than usual horror; for scarcely any punishment could be too severe for such a crime. In regard to the second objection, that the trial might be as speedy and as easy as possible, he wished to make the offence felony, because he wished to make it as definitive as it conveniently could be. Having said thus much, he thought it his duty to state, that he came down as much a stranger to the remedy proposed as any other member, and that whatever might be his opinion of the necessity of a severe punishment, yet he would have that punishment adopted only for its temporary use, and not to be of long duration. How long a law of that nature should exist after the House had been induced to adopt it, he left to their decision, but it ought by no means to be permanent. He hoped the zeal which might induce the House to concede to every measure for subduing such offences at this juncture, would not make them forget their duty to themselves and their constituents. Men were apt to be transported by their indignation, and a variety of other passions, beyond their ordinary judgment; and while they sought to avoid one evil

fall into the other extreme. He, therefore, cautioned the House to be careful, and hoped they would not produce any permanent alterations in the Constitution. At present they might not have sufficient coolness to judge what time would be completely necessary for the duration of coercive laws; he, therefore, begged them only to remember to provide some limits, the extent of which he left to their cool deliberation.

The *Chancellor of the Exchequer* thought, that if they were to inflict so severe a punishment, it ought to be temporary. Feeling, however, as he did, the enormity of the danger, he was not aware that they were acting under too great a sensation of the danger, that they were acting under cool reflection, and doing that which should be fit and proper in any time. He doubted whether the severity proposed would be attended with advantage in practical effect. It would terrify in name, but the effect would be doubtful. He wished the subject to be coolly discussed, but he should be sorry if the House were so cool as not to glow with indignation against the crime, yet sorry if they were not sufficiently cool as duly to examine the measure. They ought to combine coolness with determination, to employ dispatch without precipitation, and to temper zeal with reflection. To do less than proposed would be idle; to do nothing would be treachery to the country. The proposal of the learned Serjeant might be discussed in the Committee, and any intermediate shades between his opinion, and that proposed, fully considered. It was his intention, if there was no objection to the principle of the bill, to move its being read a first and second time that night, and committed the next day.

Mr. *Percival* could not help suggesting whether there might not be a means of punishing the offence, between the severe penalties of the learned Serjeant, and the lenient one of the right hon. Mover, and to that end proposed to have the offence denominated felony within the benefit of clergy; by which means a discretionary power would be left to the Court, of inflicting fine and imprisonment, banishment or transportation, or, if necessary, death. He suggested this mode now, because gentlemen would have an opportunity of turning it over in their minds before they came to the Committee.

Mr. *Pitt* said a few words in explanation.

Mr. *Baker* said, it would be proper to consider the mode in which the attempts alluded to had been carried on. It

was not by hand-bills alone. Some discontented persons on board the fleet, very few indeed, for he believed the body of the seamen to be sound, had first administered oaths and formed committees to establish their power, after which they began to seduce the rest. The proposed plan should embrace these and various other modes.

The *Master of the Rolls* reminded the House, that at all events, if the offence was made a misdemeanor, the penalty would not be less than transportation; while the infliction of it would be as quick in its progress as in cases of felony. The only difference between felony without and felony with benefit of clergy was, that in one case the man had the privilege of Counsel, and in the other not.

Leave was then given to bring in the bill, which was read a first, and after a few words from Mr. *Jolliffe*, and some explanation from the *Chancellor of the Exchequer*, a second time, and ordered to be committed the next day.

The *Chancellor of the Exchequer* observed, that for the convenience of gentlemen, it would be well to have it understood, that public business should begin precisely at four o'clock.

The additional Stamp Duty Bill was put off till Wednesday.

Adjourned.

HOUSE OF LORDS.

SATURDAY, June 3.

— BERNARD, ESQ. V. GARNONS, CLERK.

Their Lordships heard Counsel finally in this appeal from the Court of Exchequer; after which,

Lord *Kenny*, in a speech of some length, took a view of the subject upon legal grounds, and recommended a reference to the Court of Chancery; which was accordingly ordered by their Lordships.

The various bills upon the table were forwarded in their respective stages.

Adjourned to Tuesday.

HOUSE OF COMMONS.

SATURDAY, June 3.

Leave was given to bring in a bill to continue the Alien Act.

NAVAL AND MILITARY SEDUCTION BILL.

The order of the day being read for the House to resolve itself into a Committee of the whole House upon the bill for punishing and preventing the seduction of his Majesty's sea and land forces, and a motion being made for the Speaker to leave the chair;

Mr. *Hobhouse* said, that he was prepared to give his support to the bill if it could be proved that the mutiny at present on board certain ships was owing to seduction which had been practised upon the sailors, that the existing laws were not sufficient to prevent the seduction, or to punish the seducers, and that the provisions of the present bill were sufficient for either or both of these purposes. As to the first point, he had no doubt that the mutiny originated in certain lurking incendiaries who had seduced the seamen from their principles and duty into a line of conduct at once inconsistent with their former character and their true interests.—Hand-bills of the most seditious and wicked nature were in circulation, which being industriously dispersed through the kingdom, proved not only that there were persons of that description, but that there was a band of them co-operating to give effect to their evil designs. And if at the very time that these hand-bills were circulated among the soldiers, it appeared that the discontents manifested themselves on board the fleet, this coincidence in circumstance and time was a strong presumption that the attempt which was happily unsuccessful in one case, had been unhappily successful in another. This presumption was confirmed by the former well known character of the seamen, who from their temper and dispositions were utterly incapable of entertaining any insidious purpose or deep laid design. The papers also purporting to be drawn up by the seamen which had been published, bore internal evidence that they were the compositions of almost any person rather than a seaman. But while he agreed in these points with the Chancellor of the Exchequer, he could not coincide with him in another, namely, that the existing laws were insufficient for the punishment of the authors of this seduction, or that the provisions of the present bill, if adopted, would be a preventive of the mischief in future. The crime by the existing laws was punishable with six years imprisonment, and twice standing in the pillory during that period, and if this was not sufficient to deter

deter evil disposed persons from the perpetration of the crime, he much doubted whether any penalty, however severe, would be sufficient for that purpose. He therefore advised the House to try the effect of a strict execution of the existing laws before they made new enactments. *Les lois rigoureux produiront les crimes*, was a maxim which he strongly recommended to their attention. At present he opposed the Speaker's leaving the chair.

Mr. *W. Smith* said, that he had paid a good deal of attention to the subject since the preceding day, but that from all that he had heard, he could not give his support to the bill as it at present stood. If it could be shewn that the provisions of the bill would tend either to facilitate the discovery of the crime, or to deter from the perpetration of it, it should have his hearty concurrence, but it did not pretend to point out any new mode of discovery, and if evil minded persons would not be deterred from their wicked and diabolical practices by six years imprisonment, he did not think that they would be deterred from them by the dread of transportation. To make the crime felony, and the penalty death, as had been proposed by an honourable and learned Gentleman (Mr. Serjeant Adair), would, in his opinion, in the present state of the country, when the minds of men were in a ferment of indignation, be attended with great and terrible inconveniences. Before the House therefore passed a bill of this nature he wished them to attend seriously to the preamble of the act of the 1st of Queen Mary, which was read by the clerk at the table.

Mr. *Jones* gave his hearty assent to the bill, and intimated his intention to have moved for leave, in a few days to have brought in one to the same effect. He thought the country in a situation of extreme danger, and he hoped that the executive government, after it was armed with this additional power, would use it with moderation, but with resolution and firmness.—To be merciful to offenders was cruelty to the country.

The *Speaker* having left the chair, and Mr. Douglas taken the chair in the Committee of the whole House,

The *Chancellor of the Exchequer* said, that as some objections had been made both with respect to the want of a clear definition of the nature of the crime which it was intended the bill should provide against, and to the discretionary power of inflicting the punishment, he should trouble the Com-

Committee with a few words on both subjects. It had been urged by his learned Friend near him (Mr. Serjeant Adair) that some more severe penalty should be provided for the nature and malignity of the offence, than that proposed to be enacted in the bill. Yet, however, he might now agree with him on that point, it was his decided opinion, that the House should not proceed to make such a penalty, without most carefully drawing a nice distinction with regard to any inferior offence. From every reflection and mature consideration which the shortness of the time had allowed him to make, he was convinced, that the best and most constitutional way of proceeding would be to make such a description of the offence as might appear most consistent with the laws on the Statute book; and where the malignity went to the utmost extent, to affix to it that severe punishment proposed by his learned Friend. He should now merely state what struck him as a description of the offence, and when that was done, submit to the Committee the consideration of the penalty. An act of mutiny in his Majesty's land forces was punished with death, by the articles of war. To endeavour to make any mutinous assembly was also punished with death. Every one of these crimes, if committed in the Army or Navy, were, according to the articles of war, already punishable by death. Having stated the law of Mutiny, as it now stands, it could not certainly be thought a measure too severe to make an instigation of mutiny not less punishable in those persons who were guilty of seduction, than in those who, being the unhappy instrument of their machinations, committed the act of mutiny subsequent to the seduction. Leaving therefore the malignity of the offence to the consideration of a jury, and having described the nature of it, he was of opinion, that the Committee could not affix to the crime a more proper penalty than that of death. He thought it adviseable, that in carrying on the bill, the Legislature should shew that caution which it was unquestionably bound to exercise in penal proceedings. On that ground he shou'd propose a limitation to the operation of the bill, but he begged to be expressly understood, that he proposed the limitation on the general principle of caution, not on account of any doubt which he entertained with respect to the propriety of the measure itself.

The different clauses in the Bill were agreed to by the Committee, and a clause was brought up, limiting the operation

tion of the Bill to the expiration of one month after the meeting of next session of Parliament, which also was agreed to.

Mr. *Carew* wished to know whether it was meant to take any measure to cut off all communication with the disaffected and the people on shore?

The *Chancellor of the Exchequer* replied, that the honourable Gentleman must see that such a clause could not be introduced into the present Bill; but, after it was disposed of, he expressed his intention of moving for leave to bring in another Bill for that purpose.

The House being resumed, the Report was received; and, on the motion that the amendments introduced in the Committee be agreed to,

Mr. *Tierney* said, that he had the preceding day thought it his duty to oppose the leave for bringing in the Bill, and having in that opposition stood alone, he felt himself called upon to say a few words. The cordial support he had given to the Address to his Majesty would prevent the possibility of any improper construction being put upon his motives for what he had done, but having cheerfully joined in an abhorrence of all violence and disorderly conduct which might endanger the peace and happiness of the kingdom, he could not at the same time but recollect that as a Member of Parliament he was bound to see, that under pretence of repressing violent measures no unjustifiable means were adopted. When Mr. Pitt opened his Bill, he proposed to punish criminally any person committing any act tending to excite mutiny, and this bill he did not state to be for any limited time. A bill of such a nature Mr. *Tierney* thought it his duty to oppose. If it was meant only to punish persons convicted of conspiring to stir up the army against their Commanders, the head of those Commanders being the King, he thought the laws of High Treason at present existing, rendered the Bill unnecessary. If it was meant to punish capitally men who, in the opinion of a Jury, had said or done something tending to excite mutiny, he thought the Bill ought to be opposed. Under such a provision a man might incur the severest penalty for a speculative, or a loose conversation. By the amendments now made, the crime was clearly defined, so much so, that no man could be convicted unless he was proved to have maliciously and advisedly conspired to excite mutiny. He still thought the present laws reached that offence, but as the uncertainty of the crime was removed, and the Bill was only to continue for a very few months, however unnecessary he might look upon the Bill to be, he would give it no further opposition. To this he was particularly led by many

many gentlemen, who, he believed, to act from no party motives, appearing to attach so much importance to the idea of an unanimous vote on the occasion. He should, therefore, having had his chief difficulties removed, wave any remaining objections.

The *Chancellor of the Exchequer* finding the House unanimous in their support of the Bill, hoped there would be no objection to its passing that night.

The Bill, after its being ingrossed, was read a third time and passed *nomine contradicente*.

BILL TO PREVENT COMMUNICATION WITH THE MUTINIOUS SHIPS.

The *Chancellor of the Exchequer* then said, that at a moment when a number of ships were in a state of mutiny, unprovoked by any cause, and persisted in without the colour of reason; when the crews of these ships were presumptuously harassing the peaceable commerce of the Country, and intercepting the trade of the port of London; when they had even proceeded to acts of open rebellion, he thought it wise in the Legislature to empower the Executive Government to preclude them from holding any intercourse with those shores which they had so grossly insulted, and whose safety they were so imminently endangering. It was the duty of the Legislature, however, while they adopted every measure to facilitate the discovery, to expedite the trial, and to secure the punishment of the instigators of the mutiny, and repressing the mutiny to leave a door of reconciliation open to those who were the objects of seduction, and who, by returning to their duty in time, might be restored to the favour of their justly offended Country. He should propose, therefore, that a bill should be passed, making any person or persons, after a certain Proclamation being issued and read in the Dock-yards, guilty of felony who shall hold any intercourse with the ships then in a state of mutiny, and to deprive those sailors, who, after the date of that Proclamation, shall not return to the discharge of their duty, of all arrears of pay and allowances, and of all benefit from Greenwich Hospital, and the Chest of Chatham. He moved for leave to bring in a Bill more effectually to restrain the intercourse between the discontented crews of the ships at the Nore, and the people on shore, and for the suppression of mutiny and rebellion on board those ships.

Leave was given. The Bill was brought in, read a first and second time, *nomine contradicente*, and committed for Monday at eleven o'clock in the forenoon. Adjourned.

HOUSE

HOUSE OF COMMONS.

MONDAY, June 5.

BILL TO PREVENT INTERCOURSE WITH THE MUTINOUS SAILORS.

The Order of the Day for the House to go into a Committee of the whole House, on the Bill for preventing and punishing any intercourse with the Mutinous Seamen being read, and the question for the Speaker leaving the Chair being put,

Mr. *Jefferys* said, he did not rise to oppose the Speaker leaving the Chair, he only availed himself of this opportunity of stating to the House a fact which thought it important for them to know. A person had been taken up and detained in custody at Sheerness, upon a charge of having been a seaman on board the Sandwich and acted as Delegate on board that ship. It was a fact, however, within his knowledge, that the person he alluded to was an industrious manufacturer, and had not been out of London for any length of time for these nine months.

The *Chancellor of the Exchequer* said, that if he rightly understood who was the person alluded to, he could assure the House that he had been apprehended in circumstances which would have rendered it highly criminal in any part of the Executive Government not to have detained him. If that person was in any respect aggrieved, an appeal to the laws in a regular way was open to him. At present it was not a matter with which it would be proper for the House in any shape to interfere.

Mr. *Jefferys* said, he did not mean to defend any man who could have acted in the situation imputed to this man; he only stated a fact, which he had from good authority, that the person alluded to had not acted in the situation which would have been justly imputable to him as a very great crime.

Sir *John Sinclair* said, he had given way to the statement of the honourable Gentlemen, (Mr. *Jeffreys*) because it was the statement of a fact, which in his opinion required some investigation, or he should have immediately risen on the order of the day, to have communicated some ideas which had occurred to him upon the nature, principles, and tendency of the bill before them. He was obliged to regret the disunion of sentiments, which had deprived the House of the assistance of some Gentlemen, better qualified than himself to examine the merits of this bill; and being doubtful whether they could abandon their places upon the reasons they had given, in times of such public exigency and distress, he had been induced to search for some precedent in the Parliamentary Annals of this Kingdom; and he found, that in

the reign of King William and Queen Mary, a secession of certain representatives had taken place upon the ground of — (Here there was a universal cry of *chair! chair!* and the *Speaker* intimated that this sort of digression was irregular.) The honourable Baronet proceeded, observing, that if he had been permitted to continue, he had no doubt but he should have shewn the House, that the subject matter which he introduced was explanatory of, and connected with the question. Waving that point, however, and reverting to the bill, he thought the coercive measures proposed to be adopted, passed the Rubicon, and were of the most dangerous nature in their consequences. The right honourable Gentleman opposite, (Mr. Pitt) by recommending such rigorous proceedings, had not only drawn the sword and thrown away the scabbard, but he had also pushed his punishments so far, that it appeared doubtful whether he would not expatriate the British navy. It was his wish to unite terror and conciliation, and for that purpose, he conceived it would be right to have a certain number of his Majesty's Commissioners appointed for the execution of the office of Lord High Admiral, invested with a certain power to suspend these acts, whenever the crews, or any part of them now in a state of mutiny, should return to their duty. He believed that a similar authority had been invested in certain persons by the Parliament, upon former cases of public distress and difficulty, and unless the Commissioners, or some other persons were provided with such an authority, he for one, should not give his support to the bill. If the bill were committed that day, therefore, and not reported till next day, he would spare no time in looking for some precedent to justify such a proposition on the bringing up of the report.

The *Chancellor of the Exchequer* flattered himself, that the House would not think it necessary to delay bringing up the report of the bill at a time when the peculiar situation of affairs required its earliest execution, for such reasons as the honourable Baronet had given. At the opening of the bill, he originally stated the urgent necessity of carrying it into effect with the utmost dispatch; and such notice was given purposely to direct every Member to come with such provisions to the Committee, as might remedy any of its defects, and give it a more solid and efficient execution. Was this a time, then, to postpone any stage of its proceedings, upon slight and frivolous objections, when the crews of so many of his Majesty's ships were in open hostility and rebellion against other

other parts of his Majesty's navy—when they had already intercepted and committed acts of piracy upon the commerce of the country; and when it became a principle of safety, of policy, and duty, to deprive them of the comforts enjoyed by the rest of the community, whose rights they were invading, and by that means bring them back to a sense of their misconduct, and an obedience to the laws; or, in case of obstinacy and rebellion, to condign punishment. If the expression of passing the Rubicon applied to any thing, it applied to such acts as the seamen had committed. But whatever might be the honourable Baronet's opinion of the omission of Ministers, or the want of sufficient provisions in the bill for every wise and useful purpose, it so happened, that the act did already contain an exception to his arguments, which exception, if he had been patient enough to wait, he would have found hereafter extended by a clause, prepared for that purpose by the lawyers of the Crown. No man, however, he trusted, could with any consideration, doubt of the general power of the Crown, to pardon the crews whenever they should return, or manifest an inclination to return, to their duty; and still more, he trusted, no man could doubt the general lenity of the Crown to do so, whenever it shall be enabled to exercise that mercy with safety. So much he desired to state upon the provisions of the bill; but as to the general policy of it, if the honourable Baronet was resolved to dispute about it, he knew not how he should be able to give him any satisfaction.

Mr. *Folliffe* was surprised, that his honourable Friend could think of treating in any manner with men who were in open rebellion against their country, and upon reflection, he was sure he would be aware of the impropriety of any such proceeding. On an occasion so critical as the present, it was the duty of the House to assist the Executive Government, to repress and restrain the mutinous and rebellious conduct of the seamen. At the same time, it was the duty of the Executive Government to use, with moderation, the great powers with which it was entrusted. By agreeing to the present measure, they were not, however, to be tied down from enquiry into its necessity, and the causes by which it was produced. He thought if there was dispatch required for the bill passed on Saturday, there was much greater dispatch requisite for the present, and therefore if no other person did, he should afterwards move for its being read a third time that day.

The *Chancellor of the Exchequer* said, that such was his intention.

Mr. *M. A. Taylor* said, that he had some doubt whether the present bill would answer the purposes intended; but that he should leave to the Executive Government. As far as his vote went, he should support the Executive Government in any measure that was to bring to a sense of their duty, those wicked and rebellious seamen who had conducted themselves in so daring a manner. This vote, however, was not to preclude any investigation of the circumstance by which this unfortunate state of things had been produced. With regard to the conduct of certain honourable Friends of his, he should say nothing, as it was foreign to the present subject. He was convinced, however, that the public would judge of their conduct and their motives as he did.

The House then resolved itself into a Committee, Mr. Douglas in the chair.

The bill was read over, clause by clause. Upon the clause that enacts that the declaration of the Lords of the Admiralty (being so empowered by the act), that any ships' crews, &c. are in a state of mutiny and rebellion, and prohibiting all intercourse with the same under certain penalties, should be published in the Gazette and Dock-yards,

Mr. *Baker* thought, that the declaration should, to give it greater publicity, be published at the Royal Exchange, at which, from the assemblage of people, and the connection they had with the sea-ports, the declaration might be more generally known.

The *Chancellor of the Exchequer* said, he conceived it unnecessary to enact more than the Bill contained on this point. Doubtless the Executive Government would have every motive to give the matter the utmost publicity.

It being proposed to fill up the penal clause, and to enact that the punishment for wilful and advised communication with the ships' crews, declared to be in a state of mutiny, should be death, as in cases of felony, without benefit of clergy,

Mr. *Nicoll* said, he had no means of judging of the absolute necessity of this restriction, but it was certain, when the danger was extreme, the remedies should be severe. He was staggered, however, by the clause which blended the acts of communication and intercourse, with the acts of aiding and abetting treason; because, as he understood the law at present,

sent, he did not think intercourse with a person guilty of high treason, was even a misdemeanor, provided it was not accompanied by overt acts of aiding and abetting. He thought it possible, that a communication might take place from shore, without any motive of sedition. He thought, therefore, that to make communication a misdemeanor, would be sufficient, and that the heaviest impositions the parties should suffer in such cases, should be the usual penalties of misdemeanor, being further liable, if the Court should think it proper, to transportation.

Mr. *Serjeant Adair* said, that the penalty was only to attach to those who should hold intercourse and communication, after the publication of the declaration, that the men were in a state of mutiny, and the prohibition to hold intercourse with them. Most of the acts specified in the clause, and there prohibited, were already high treason, and any communication carried on without leave, could not be innocent. When the ships' crews, &c. ceased to be in a state of rebellion, then the penalty for holding communication with them likewise ceased. The provisions were in their very nature temporary, and ceased with the causes by which they were produced.

The *Attorney General* said, that the bill was necessary for the salvation of the country, and when properly understood, was a measure of the most sound and real lenity, and humanity. The crimes specified, and to which it was to attach, constituted the most aggravated rebellion, felony and piracy, and by the existing laws of the country, were liable to be punished as such. Gentlemen ought not to venture to give a character to this bill, till they have fairly compared it with the law as it now stands. It was a humane and seasonable notification that the character of our present laws were such as he had described; it was rescuing the deluded seamen from the deception of their own minds; it was withdrawing them from the influence of the gang of conspirators by whom they had been seduced; it was informing those who, from false humanity might be disposed to put the deluded men in possession of the means of continuing in practices which must involve them in inevitable ruin, and expose themselves to the severest penalties of the existing laws of their country. The prohibition laid upon every species of communication might perhaps be felt by the innocent; but the measure was not the less necessary on that account. To suspend the *Habeas Corpus* act might lay the innocent under hardships; but, was that to be compared with

with the salvation of the state? The question was here, whether, if (as he in his conscience believed) the seamen had been goaded into their present conduct by the infamous arts of foul conspirators, they were to interrupt that communication by which their mutiny and rebellion might be cherished? There was no reason to apprehend that the Executive Government would carry the application of the law beyond justice and necessity.

Mr *Nicholls* thought that the communications liable to the penalty should be made more explicit.

The *Chancellor of the Exchequer* said, that communications by letters, or otherwise, which might have been previously innocent, might yet come under the application of the penalty after due notification had been given. Much evil might arise from permitting communication to take place, nor did he see that any good could be done by such as was carried on without permission. But there were other reasons for which he thought that all intercourse and communication should be cut off. He was anxious that it should be prevented in every shape. The men who had been guilty of acts of such aggravated rebellion and treason ought to be completely separated from that country whose cause they had abandoned. If they valued the communication of the intercourse of a father, a brother, or a wife, before they can enjoy the sweets of these endearing relations, they must reconcile themselves to their offended country. If we could obtain new avenues to their hearts; if we could employ additional motives to rouse the generous feelings of those brave, deluded men; if, by awakening the tender affections of the human heart, we can recal them to a sense of the duty they owe to that country by which the various ties of nature are cherished and protected, we gain a great deal for that object which we are so desirous to attain, and as far as the measure was calculated to produce that effect, it promised more fairly for ultimate success.

Mr. *Jefferys* said, that strong measures were necessary. He did not know if this measure would accomplish the desired object. He should not oppose it, however. He was no advocate for those who had acted in a manner so unworthy of British seamen.

The blank was filled up as originally proposed.

The *Solicitor General* proposed that those who voluntarily continued in a state of mutiny and rebellion after the above publication, should forfeit all the wages due to them, and all the advantages to which they would otherwise have been entitled;

titled; and that persons voluntarily remaining on board after their knowledge of such declaration, should be liable to the penalties of piracy and felony enacted in the statute, and the 11th of King William, which was agreed to.

A clause was brought up in the room of the former one, and the Lord high Admiral or Lords commissioners of the Admiralty, or any three of them, are thereby entitled to accept the submissions of those who return to their duty, to declare the ships' crews, &c. no longer in a state of mutiny, and to exempt such as so returned from the penalties of this act.

It was proposed that in order to bring back as many as possible to their duty in the present critical state of the country, it should be declared that the Lords of the Admiralty would consider of the grievances of such as so returned.

Mr. *Baker* reprobated this proposal as highly improper in every view. He said that illegal oaths had been administered to the sailors, and many were withheld from returning to their duty by this tie. It should be held out to them that such a proceeding was in itself illegal, and ought not to be the ground of father violence. From many appearances he was convinced that a great many repented of the lengths they had gone. In some instances the delegates had been obliged to put in execution their own violent resolutions, as the crews would not obey them.

The clause was agreed to as originally proposed.

A clause was brought up enacting, that those who were tried under this bill and acquitted, should not be tried for high treason, but that those who were liable to be tried under this bill might be tried for high treason, any thing in this bill notwithstanding. The clause was agreed to.

The duration of the bill was fixed to be for one month after the commencement of next session of Parliament.

Power was reserved to alter or to repeal this bill even during the present session.

Mr. *Brandling* was in some apprehension left, by the misconduct of this part of the fleet, the coast should be left unprotected. He wished to know how far it was lawful for subjects to arm themselves to assist the Executive power on the present emergency? This he did not ask from any doubt of the loyalty of the army or militia, but merely to know how far such a measure was lawful, as he thought it highly proper.

Mr. *Secretary Dundas* said that, notwithstanding the misconduct of part of the fleet, it would be found that there was no reason to be apprehensive for the defence of the country, and that every provision

provision had been made for this object. The question proposed by the honourable Gentleman would be answered by his Majesty's message; for the very mode which he had suggested was there pointed out. This was a period at which every man should endeavour, by every exertion in his power, to aid the public service; and, if occasion required, the prerogatives of the crown might resort to that mode of contributing to the public defence which the honourable Gentleman had pointed out.

Sir *Francis Burdett* said, that this bill was altogether repugnant to his feelings, and therefore he should give his vote against it. We had but the bare assertion of Ministers that such a measure is necessary; nothing but their assertion that there have been any insurgents among the seamen; and a law of this nature should never pass on bare assertion; but that was not the chief cause of his opposing this bill. He opposed it upon a principle of a much broader nature. It was, because he thought that the bill might be productive of mischief; by rendering any accommodation between the seamen and their country impracticable. It tended to place the seamen in a state of desperation, and the mischief which they may do to this country in that state was dreadful. The discontent was not confined to the seamen; there was much of it in other quarters, and was visible in many parts of the country. The very strong laws that were made to repress these discontents, or rather the expression of them, were symptoms of great disease, for which there was a cause of a very different kind from that which was stated. That cause was the misconduct of administration for a long time, but particularly for the last four years; and the enormous corruption of the Executive Government. These were the real causes of the evil; all other causes were fictitious. If, therefore, it was our object to remove the effect of the evil, we must remove the cause. The only way to remedy the evil was to petition the King to dismiss his present Ministers, and to pursue such measures as may put an end to our present shameful corruption; not by increasing penal laws, for they would only inflame those who were already irritated; that would increase instead of diminishing the evil. Had he been in the House he should have opposed the other bill which had just passed the House upon this subject. He thought it necessary for him to say what he thought upon this matter. He did not assent to these measures. He thought them calculated to increase instead of diminish the evil.

The Chairman having left the Chair, the report was received

ceived immediately; the amendments were agreed to, and the bill was ordered to be ingrossed; after which the *Chancellor of the Exchequer* intimated that the ingrossment would soon be ready, and then he should move immediately afterwards that the bill be read a third time.

On the question for the third reading,

Mr. *Sturt* said, that he objected to this bill, from a real belief that it would not answer the purpose which Ministers said they had in view. He did in his conscience believe that nothing but conciliatory measures would be useful in this case; and if the Minister had adopted the measure which was proposed some time ago by an honourable friend of his (Mr. *Sheridan*) for a Committee of both Houses, indifferently chosen by both sides, which would not have been derogatory to the dignity of either House, the evil might have been avoided; it was a measure of great importance, for it was no less than that of restoring harmony and confidence to the most valuable branch of the public service. Had that measure been adopted, he believed the House would not be deliberating upon the measure now before it, which he considered as neither more nor less than drawing the sword and throwing away the scabbard; and that when the sword was to be directed against the navy. He conceived this bill to be inimical to the interest of this nation at large, that it would create exasperation, and was the direct contrary of what Ministers said was their real object; he attributed the dissensions which unhappily prevailed, not to the seamen, but solely to the conduct of Ministers. The conduct of the sailors at Spithead, when the discontent first appeared, he ascribed also to the tyrannical measures which Ministers had adopted in the sister kingdom. The right honourable Gentleman might laugh, but he could tell him that this not a time for the Minister to treat with contempt those Members of Parliament who spoke the truth. He was not to be intimidated by gestures; he felt for the situation of this country, to which he was as much a friend as any man in that House or out of it. This evil arose, he would repeat it, not from the seamen, but from the Ministers. We all knew that deserving and innocent men were driven into exile by the contemptible Government of Ireland. They were forced to go on board ships although they had never before been to sea. For this they naturally felt resentment. It was natural enough for them to instil discontent into the minds of the seamen, and they had gone further than they intended.—Nothing upon earth would restore harmony and confidence in the fleet but the repeal of

those tyrannical bills, which enabled Ministers to send whom they pleased to sea.

The *Speaker* informed him, that these bills were part of the law of the land.

Mr. *Sturt* said, the country would one day or other see the impropriety of them. He opposed this bill, because the law now in force was fully adequate to the correction of the evil. Out of thirty-six articles of war, seventeen were absolutely penal. He saw no reason for adding to their force. He saw no hopes from this measure. We should repeal the sedition bill rather than pursue this plan. He considered this bill as a piece of waste paper, and he should give it his negative.

Mr. *Baker* said, that the honourable Gentleman might have given, perhaps, more information to the House; he best knew what communications had been made to him, and from what persons. He thought, however, that the honourable Gentleman might have spared some of his observations. It was a little extraordinary that such observations should have come from a Gentleman who had himself once had a naval character, and might perhaps now have a commission; to hear a defence of these men from such a person, surprised him. It might have become him to join the rest of the country; it was much fitter, on every principle of duty as a member of that House, much more agreeable to the allegiance he had subscribed, much more consonant with the character of the service to which he belonged, and in which he had acted with credit, to have taken a different line of conduct, than by exertions of an inflammatory nature encourage these men in their mutinous inclinations. He was sorry to be compelled to make such observations. Whether he felt it or not, the honourable Gentleman had said that which ought not to escape unnoticed, or, if necessary, be censured by the House. It was language unbecoming any subject, and much more any Gentleman of his character.

Mr. *Sturt* said, he was not afraid of repeating what he had said. The honourable Gentleman had insinuated in the House what he would not dare to insinuate out of it. He, as a member of the British Legislature, had a right to give his opinion without being subject to such unjustifiable insinuations. He called them unjustifiable; he did not use the epithet which such conduct deserved; perhaps that honourable Gentleman might guess what he meant. He would not have it go into the country that he was leagued with any but such as were friends to their country. No man should use such language as this to him out of that House, and he trusted the *Speaker* would protect him in it. He would repeat, that the tyranni-
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cal conduct of Ministers in the sister kingdom, by causing men to be accused of sedition, and then sending them on board the fleet without trial, had produced this disorganizing spirit in the service. He did not like this bill, because it treated the sailors all as rebels, whereas we ought to try the effect of conciliatory measures. He knew the nature of British seamen; he had had the honour of being in the service; there were no men who more dearly loved their country than the seamen did. No longer ago than the preceding day they honoured the Monarchy of Great Britain by a display of the royal flag and the firing of cannon on the King's birth-day. He warned the House of the hazard of firing a single shot at the sailors. He had given his opinion. As to the personal allusion that was made to him, he treated it with sovereign contempt.

Mr. *M. Taylor* wished his friend to withdraw his opposition to this bill. He thought the allusions of Mr. *Baker* improper.

Mr. *Baker* said a few words in explanation, in which he disclaimed any personality against Mr. *Sturt*.

The House then proceeded to divide, but the numbers for the bill were not counted, they being the whole House, except Mr. *Sturt* himself, Sir *Francis Burdet* having previously left the House.

The bill was then read a third time and passed.

HOUSE OF LORDS,

TUESDAY, June 6.

The *Chancellor of the Exchequer* brought up from the House the two bills passed by the House of Commons on Saturday; and the preceding day, the one called, "An Act for the better Prevention and Punishment of Attempts to seduce Persons serving in his Majesty's Forces by Sea and Land from their Duty and Allegiance to his Majesty, or to incite them to Mutiny or Disobedience;" the other, "An Act for more effectually restraining Intercourse with the Crews of certain of his Majesty's Ships now in a State of Mutiny and Rebellion, and for the more effectual Suppression of such Mutiny and Rebellion."

The bills were severally read a first and second time, and in the Committee Lord *Grenville* made a few verbal amendments; after which, upon the motion to read one of the bills a third time,

Lord *Graham* (the Duke of Montrose) rose and said, no man could lament more deeply than he did, the necessity of passing such bills, nor was any man more sincerely convinced

of that necessity than he was. He hoped the Executive Government in putting the bills in force, would act with a degree of zeal and activity correspondent to the energy and vigour manifested on the occasion by both Houses of Parliament.

The bill was read a third time and passed.

When the question came to be put for the third reading of the bill to restrain the intercourse with the mutinous seamen,

Lord Grenville rose, and declared that he agreed completely with his noble Friend in every thing that he had said, and could assure their Lordships, that the Executive Government would not be wanting, on their part, in carrying every measure into effect which the extreme and pressing exigency of this awful and momentous occasion might require. It was, he admitted, an occasion on which every exertion that Government could make was to be expected from them; and not only from them but from every man in the country who could, by his individual efforts assist in the smallest degree in putting an end to a calamity that so highly affected British interests, and struck so deeply at the preservation, nay at the existence, of the Constitution and the Crown.

The bill having been read a third time and passed, both bills were sent to the House of Commons, and the amendments made by the Lords were taken into consideration. After which the *Chancellor of the Exchequer* brought them again to the bar, and acquainted their Lordships that the Commons had agreed to the amendments.

The King's Commission was then read empowering certain Commissioners to give his Royal Assent to these two bills, and many others.

The Peers who sat as Commissioners were, the Duke of Clarence, the *Lord Chancellor*, the Marquis of Salisbury, and the Earl of Liverpool, and the Royal Assent was given with the usual forms.

HOUSE OF COMMONS.

TUESDAY, June 6.

Sir J. Mordaunt moved for leave to bring in a bill to explain the Militia Act. Leave was granted.

Mr. Alderman Curtis moved for leave to bring in a bill to make provision for the Maintenance of the Wives and Families of the London Militiamen.

Mr. Alderman Cambe begged not to be understood as pledged to give his support to the bill, though he did not divide the House

House upon the motion for leave to bring it in. Leave was granted to bring in the bill.

A Message was received from the Lords, stating their Lordships' assent to the two Naval Mutiny Bills, with amendments, to which they desired the concurrence of the Commons.

The amendments were agreed to by the House; and the bill was carried back to the Lords.

The *Speaker*, attended by House, went up to the House of Lords to hear the commission read for passing the bills, and on his return he reported the proceedings to the House of Commons. Adjourned.

HOUSE OF LORDS.

WEDNESDAY, June 7.

Heard Counsel and evidence in support of Mr. Test's Divorce bill; after which the bill was read a second time, and ordered to be committed to that day fortnight. Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, June 7.

A new Writ was ordered for the borough of Leominster, in the room of J. Hunter, Esq. who has accepted an office under the Crown.

A bill to continue the Alien act was brought up and read a first time, and ordered to be read a second time the next day.

The bill to explain the Militia act was brought up and read a first time.

The American Intercourse bill was read a first time.

The Address of the Lords was taken into consideration on the motion of Mr. Abbot, and agreed to.

The House went into a Committee on the Pilchard Fishery Bounty bill, and the report was ordered to be received the next day.

The Highland Distillery bill was read a second time and committed for Tuesday.

The additional Stamp Duty bill was put off till Friday.

Mr. *Hussey* asked, if the consideration of the bill would come on that day?

Mr. *Ross* said, as there were various objections to the bill, particularly that part of it which related to Newspapers, diligent

igent enquiry was making into the foundation of these objections, in order to see if they could be met by the provisions of the bill. He hoped the necessary information would soon be obtained, and then the discussion would be no longer postponed.

Mr. *Hobhouse* said, he meant to have objected to the bill; he was satisfied with the reasons for the delay.

The Committees of Supply, and Ways and Means were put off till Friday.

The order of the day for the House to go into a Committee on the Corporation Cause bill being read,

Mr. *Wigley*, Mr. *Rose*, &c. objected to the Speaker leaving the chair, and on a division there was not a sufficient number of Members present to form a House.

Adjourned.

HOUSE OF LORDS.

THURSDAY June 8.

On the motion to receive the report of the bill for erecting the Corporation of Surgeons of London into a College.

Lord *Thurlow* rose and complained that an advantage had been unfairly taken of those noble Lords, who meant to propose amendments to the different clauses of the bill. It was, his Lordship said, generally understood by those who took a part in the Committee, that a day was to be dedicated to finishing the receipt of the evidence, and a separate day was to be set apart for the discussion of the clauses, and the amendments that should severally be proposed. Instead of this, on the intervening day, the hearing of witnesses was closed the report drawn, and now brought up without any opportunity having been afforded to those noble Lords, who, it was known, meant to have taken a part in proposing amendments to the clauses. This was certainly in its effect a surprise, and a blot upon the proceedings of the House, which their Lordships ought for the sake of their own honour and dignity to wipe off; he therefore moved, "That this bill be recommended."

The *Bishop of Bangor* rose and recapitulated from memory what had occurred relative to the bill since it came into the House. His Lordship contended that every fair opportunity had been afforded those, who opposed the bill of bringing forward their evidence and their arguments against it, and that it had been fully considered. His Lordship mentioned the
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great expence the parties had been put to, and the increase of that expence which the recommitment of the bill would occasion. With regard to the idea of its having been understood to be agreed on that a separate day was to be allowed for the discussion and amendment of the clauses, no such agreement was ever made in the Committee; and he could assure their Lordships he by no means intended to take them by surprise, but for the reasons he had stated, as the bill had been twice sent to a Committee, he should oppose its being committed a third time.

Lord *Thurlow* rose again, and said, he did not mean to insinuate that the right Rev. Prelate meant to take the House by surprise; he was sure he was incapable of resorting to so dirty a fraud, but that in fact the operation and effect of closing the Committee, before noble Lords who it was known meant to discuss the different clauses of the bill, could have the opportunity of doing so, was the same, as if it had been intended by that sort of manœuvre to get rid of their interference. As to the expence the parties would be put to by a recommitment of the bill, in fact they would not be put to any, as they had closed their evidence, and declared they meant to call no further witnesses. His Lordship gave a summary description of the bill, stating its preamble and avowed object, and contended that its clauses did not all of them correspond with that object. It was impossible therefore, he said, that the bill should stand as it now did, without disgracing their proceedings, and the only way to avoid incurring that disgrace, was to recommit the bill.

The Duke of *Bedford* stated what had been his own conduct respecting the bill; and said, the noble and right Rev. Prelate, most probably from defect of recollection, had been inaccurate in several particulars of his relation. His Grace concluded with declaring that it was generally understood at the Committee, that the going through with the evidence was to be the business of the day following, that on which the noble and learned Lord was present; and that a future day was to be dedicated to the discussion of the clauses and the amending them.

The *Bishop of Bangor* still insisted that no such agreement however it might be privately understood, was made in the Committee.

Lord *Thurlow* said, most certainly it was not, as it was neither regular nor usual for a Committee to agree on one day
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when and how it would adjourn on the next, but that it was generally understood that a separate day was to be fixed for the discussion of the clauses, and that the bill was at present so imperfect that to rescue the House from disgrace the bill ought to be recommitted.

The Duke of *Clarence* said he had attended the Committees, and he never heard such an agreement made, as the noble and learned Lord mentioned.

The Bishop of *Rocheſter* said he did believe, as the noble and learned Lord has ſtated, that it was underſtood, that the next day to that at which he had been preſent, was intended to finiſh the going through with the evidence, and that another day was to be taken for diſcuſſing the clauses, and that under that impreſſion he went out of town and was abſent the next day, not being deſirous of miſpending his time by liſtening to evidence, that proved nothing effectual or that any way affected the bill. At the ſame time he muſt ſay no ſuch agreement as that in queſtion was formally ſtipulated. The papers diſtributed by the opponents of the bill he ſaid, were miſerable productions and had nothing like a caſe in them. In fact they made out no caſe whatever, and were as inefficient and inapplicable as the evidence they brought before the Committee. With regard to the expence the parties would be put to, if the bill were recommitted, certainly if they were to go again through the evidence a great expence would be incurred, and the only way to avoid it, would be to refer the evidence taken before the laſt Committee to the next, if their Lordſhips ſhould agree to the motion.

Lord *Thurlow* ſaid he had no objection to have the evidence referred in the manner ſuggeſted by the right Rev. Prelate. That undoubtedly was the proper mode of proceeding, and therefore it would be neceſſary to move that a copy of the evidence be fairly tranſcribed and laid on the table, and when it was preſented, to move that it be referred to the Committee, to which the bill was to be ſent.

The bill was ordered to be recommitted, and on a motion it was ordered, that a copy of the evidence taken before the laſt Committee be laid upon the table.

HOUSE OF COMMONS.

THURSDAY, June 8.

This being the day appointed for taking into conſideration a petition, complaining of an undue election and return for the
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the county of Flint, and there being only seventy-seven members present at four o'clock, the House was counted out, and adjourned till the next day.

HOUSE OF LORDS.

FRIDAY, June 9.

Their Lordships heard Counsel on the cause of *Edgar* and others against *Miller* and *Miller*. The *Lord Chancellor* ordered the judgment of the Court of Exchequer in Scotland to be reversed.

Adjourned to Monday.

HOUSE OF COMMONS.

FRIDAY, June 9.

The House, at four o'clock, proceeded to ballot for a Committee to try the merits of the Flintshire Election petition, when the usual number of members were chosen.

The Loan Discount bill, and the Harbour bills were read a third time and passed.

Two petitions against the London Wet-Docks were presented, and referred to a Committee.

The Alien's bill, and General Inclosure by Agreement bill, were read a second time and committed.

The Cattle Forestalling bill was recommitted.

The Indemnity bill, Vassall's Divorce bill, and the Ship Owners' bill were read a first time.

The Corn bill was brought down from the Lords with some amendments, which the House agreed to.

The *Speaker* informed the House, that the electors of Canterbury, who had lately presented a petition complaining of the decision concerning the members declared duly elected for that borough, had entered into no recognizance to prosecute the same; and that, therefore, the order for taking it into consideration must be discharged; which was accordingly done.

NEWSPAPER STAMP DUTY.

Mr. *Sheridan* said, that as he saw an hon. Gentleman then in his place, he wished to be informed by him whether it was intended that the proposed duty on Newspapers which was then included in the Stamp Duty bill before the House, should be carried into effect. He hoped that the delay which

had already taken place in carrying that bill forward, was a good omen in favour of its being abandoned altogether, but it was not the intention of Ministers to abandon it, he wished they might appoint a fixed day for the discussion of it, in order that he might have an opportunity of stating his objections to it.

Mr. *Rose* said, that it was not less painful to him, than it must be to other Gentlemen, that the consideration of the bill had been so often postponed. There was no intention, whatever, to abandon the bill, but the reason of the delay was, the time which it had been found necessary to take for the purpose of considering what relief was proper to be made to the Proprietors and Venders of Newspapers. He would propose to adjourn the Committee on the Bill to Wednesday next, when the subject might be discussed.

The other Orders of the Day were deferred. Adjourned to Monday.

HOUSE OF COMMONS.

MONDAY, JUNE 12.

The St. Giles's Advowson, Southampton Fishery, and Newport Pagnal Road Bills, were read a third time and passed.

Mr. *Simeon* and Mr. *Peachey* took the oaths and their seats, the former for Reading, and the latter for Yarmouth.

Mr. *Dudley Ryder* brought up the Report of the Committee appointed to try the merits of the Flintshire Election, which stated, 'That the Committee was of opinion, that John Lloyd, esq. was duly elected, and ought to have been returned; and that the defence of Sir Thomas Moyston was frivolous and vexatious.' The Clerk of the Crown was accordingly ordered to amend the return, by substituting the name of Mr. Lloyd for that of Sir Thomas Moyston.

The London Bread Affize Bill was committed, when some new clauses were received, and several amendments made, and the report ordered to be brought up the next day.

Mr. *Jolliffe* gave notice, that on Thursday next he should move for leave to bring in a Bill to amend that part of the Act passed last session, for the regulation of the Game Laws, by changing the day on which Partridge-shooting is restricted to commence, from the 14th of September to the usual day, viz. the first.

Mr. *D. P. Coke* deferred the commitment of the Corporation Cause Bill, on account of the thinness of the House to Wednesday next.

The Committee of Supply and Ways and Means were also deferred to Wednesday next. Adjourned.

HOUSE

HOUSE OF LORDS.

TUESDAY, June 13.

Received from the Commons seventeen bills, most of them private. Read a first time. Adjourned.

HOUSE OF COMMONS.

TUESDAY, June 13.

The bill to repeal the act which makes negroes real assets, was read a first time, and ordered to be read a second time on Friday.

Mr. *Tierney* brought up a petition from the Lowland distillers, in Scotland, against the exemption from duty which the Highlands enjoy. Ordered to lie on the table.

SHIP OWNERS' RELIEF BILL.

The order of the day for the second reading of the Ship Owners' relief bill being read,

Mr. *Alderman Lushington* rose to explain the grounds on which this bill proceeded. In consequence of a late decision which took place in the Court of King's Bench, very severe responsibility was laid upon the owners and masters of vessels, for the goods conveyed on board their ships. He did not mean to impeach the legal correctness of that decision; he believed it to be the law of the land; but on this account, a legislative remedy was required for what was at once a severe and impolitic principle. The decision in the case alluded to, proceeded on the construction of the bill of lading, in which a general obligation to deliver the goods safe, and in the same condition as when shipped, excepting the risk of seas, is contained. Under this principle, much greater responsibility is laid upon the masters and owners of vessels, than was understood either by them or their employers. Even if the ship strikes on an unknown rock, and damage ensues to the goods, they are made liable. The principle of decision, in regard to sea-carriage, was made the same as land; whereas, an obvious distinction existed, and there were risks peculiar to sea-carriage, unknown in the other. The bill was intended to guard against those peculiar risks, and to take off the responsibility which now existed with respect to them. He was aware that there might be objections to particular clauses, but the principle of the bill was admitted. In order to render the provisions adequate to the end, and to remove objections which might be felt, it was intended to

send copies of the bill to Lloyd's, and to other public, commercial bodies, for their consideration, and to discover how far it might be proper to extend the relief proposed to be given. He hoped, therefore, there would be no objection to go into the Committee to discuss the various objections, and to render the bill as adequate to its purposes, and as safe in its application, as possible. He now moved that the bill be read a second time.

The bill was read a second time, and committed for tomorrow.

The report of the bill for regulating the affize of bread in the city of London, was brought up, agreed to with the amendments, and ordered to be read a third time on Friday.

The Newfoundland Fishery bill was read a second time, and committed for Thursday.

SCOTS MILITIA BILL.

The Scots Militia bill was read a second time.

Sir *J. Sinclair* wished to know, whether the bill was to be carried through this session? He did not think it was applicable to the circumstances of Scotland.

Mr. *W. Dundas* said, few people could doubt whether the English militia had been useful; he believed a well-regulated militia would be equally useful in Scotland.

Mr. *W. Dundas* said, few people could doubt whether the English Militia had been useful; he believed a well regulated militia would be equally useful in Scotland.

The bill was committed for the next day.

The Highland Distillery bill was put off till Thursday.

FORESTALLING CATTLE.

The order of the day for the House to go into a Committee on the Bill to prevent forestalling of live cattle, being read,

Sir *William Pulteney* said, that this was a bill of great importance, and seemed hitherto to have little attracted the attention of the House. The principle of it was one to which he could by no means assent. The ancient laws of this country had been very severe against every species of forestalling; but, when men became more enlightened, the impolicy of them was discovered, and by a law passed in the year 1772, they were all repealed. Now, however, the cutting retail butchers had wisely discovered, that this repeal was erroneous, and that the ancient severity of the laws should be brought back. The price of butcher's meat had increased, and various reasons would be stated and believed by the people,

ple, without much knowledge or examination of the subject. There were very good reasons for the rise of butcher's meat, without imputing it to the cause assigned in the bill. There had been several unproductive harvests successively, which necessarily decreasing the number of hogs, forced people who used to live upon pork, to use other kinds of butcher's meat. The stoppage of distilleries, too, aided this cause. The laws as they now stood had subsisted eighteen years without inconvenience; for in the evidence collected by the Committee, it was said that the rise began to be felt within these seven years. The jobbers, as they were called, or the middle men, were said to be the cause of this, in going to the country, and buying up from the farmer and grazier. In his opinion the jobber was of advantage. By trading to a large extent he was able to do with small profit, and bring the cattle to market cheaper than the farmer could do. If the business of a jobber furnished such large profits, it would soon be overstocked, and find its own level. The jobber might sometimes buy cheap and sell dear; but it likewise often happened the other way; one time they gained, another they lost. He was not surprised to see in the evidence that the salesmen in Smithfield Market had stated, that the price had been so much increased by means of the jobber, for it was evident that the jobber was an enemy to their business, for they, by receiving the cattle to sell from the farmer, made very considerable profits, and sometimes likewise were allowed a gratification by the buyer for their trouble. It was enacted by this Bill, that no man should sell again till he had kept the cattle fourteen days in his possession. But was it not evident that this could only be done by the rich grazier who could bear the expence, to the prejudice of the other dealers, and of the public. Upon the whole, he was of opinion that the market should be left perfectly free to find its own level, that any legal regulation would defeat the object proposed, and that, therefore, the Bill ought to be thrown out. He therefore opposed the Speaker leaving the Chair.

Mr. Alderman *Coombe* agreed in the general principles stated by the worthy Baronet. In practice it had been found, however, that deviations from it were necessary. This was one of the cases where it was called for. The legislature had limited it in several instances. Money, bread, and various other articles were fixed at a maximum, and he thought the regulation proposed by the Bill would be very useful.

Mr. *Bryan Edwards* agreed with the worthy Baronet. Dr. Adam Smith, upon the very subject of forestalling, reprobated

ed all legal interference, and ridiculed the alarms entertained of the market being worse served without them, as a vulgar error and no wiser than the dread of witches. All commodities, especially perishable ones, would find their own level. He met the farmer or grazier half way, and took the cattle off his hand, to the great accommodation of the farmer. Sometimes the jobber lost, sometimes he gained; at any rate the business would soon find its own level. The worthy Baronet had pointed out some of the leading causes of the rise in the price of butchers' meat. That stated in the Bill certainly was not the cause. To adopt the measure would be to encrease the discontents of the people, by holding out a class of men as causing a scarcity and high price, when in fact they were not to blame. He was therefore against the Bill.

Mr. *Bassard* said, he could not well see how many profits being made upon frequently reselling could bring the commodity cheaper to market than if there were only two. The jobber was, in fact, of no advantage in bringing the cattle to market, for he brought them in the same manner the farmer would have done. At present it was not a competition but a monopoly. The perishable nature of the commodity was to be compared with the urgency of the demand; and the appetite of the consumer would compel him to buy sooner than the perishable nature of the other would compel the owner to sell. It was a fact well known, that the jobber sometimes offered to the farmer a higher price than he was willing to take, in order to keep up the market, and sell at the highest price the stock they had in hand. He thought, therefore, some regulation necessary, and that the House should go into the Committee.

Mr. *Tierney* hoped the worthy Baronet would not persist in his opposition to the Bill. An honourable Gentleman (Mr. Edwards) had said, that to entertain the Bill would be to encrease discontent. It was to allay discontent that he supported the Bill. Would the House of Commons hold out to the People the idea that they would not enquire into their grievances, that they would not deliberate upon the means to remove them? Would not this be the surest way to disgrace the House, and to kindle popular discontent? He thought the conduct of the butchers highly commendable. They had no interest in the matter, for whether they bought cheap or dear they had the same profit on a pound of meat. The lower classes naturally were dissatisfied with the butcher, in the first instance, to whom they paid the advanced price, without reflecting on whom

whom the blame lay. The butchers, therefore, on bringing the subject before the House for its examination, without pointing out any particular persons, had deserved the thanks of the country.

Mr. *Mainwaring* said, that on a subject of such importance, a great deal of investigation had taken place in the Committee above stairs; that the wish of those who supported the Bill was to prevent the enhancement of the price of meat. If any improper practices did exist, it was for the House to enquire into them. There had, doubtless, been a great excess of jobbing of late years; and he could not conceive how it could tend to lower the price of provisions, that there should be two or three intermediate persons betwixt the men who sent meat to market, and those who consumed it. If, as was established, cattle were sold five or six times, must not this raise the price to the consumer? Forestalling had risen to such excess that not one half of the cattle brought to Smithfield were sold in open market. Indirect means were made use of to prevent the market from being properly stocked; the jobbers always took care to keep the market understocked to keep it at their own price. The jobber was of no advantage to the supply of the market, for the cattle were driven up for the jobber by the same men who brought them up for the farmer. It surely was an evil when the supply got into few hands, and absolutely became a monopoly. Competition, instead of being promoted, was totally overthrown. He respected the authority of Dr. Smith; but he considered experience and facts to be better guides than theory; he thought Dr. Smith's authority was for the Bill, because it went to establish and secure competition, and to banish monopoly. He thought the Bill would do good, and it was the opinion of men well conversant with the subject, that this Bill would materially serve to reduce the price of provisions. He trusted the House would go into the Committee to make the measure as perfect to its end as possible.

Mr. *Edwards* said, he had quoted Dr. Smith, and he had urged not only his general principle, but his particular opinion on this very subject.

Mr. *Wilberforce* was for going into the Committee. He had as high regard for Dr. Smith as any man; but it was not doing his general principle justice to contend for an individual application when the general circumstances of the metropolis, and many other things were in opposition to that principle. He was convinced that the evil did exist, that a remedy should be applied, and he was therefore for going into the Committee.

The

The House divided on the question that the Speaker leave the Chair.

<i>Ayes,</i>	—	—	31
<i>Noes,</i>	—	—	11
			—
<i>Majority</i>			20

The House having resolved itself into a Committee of the whole House upon the Bill,

Mr. *Mainwaring* proposed, that on account of the thinness of the Committee, the Chairman should be directed to report progress, and ask leave to sit again.

The House being resumed, progress was reported, and the farther consideration of the Bill in a Committee was fixed for Friday. Adjourned.

HOUSE OF LORDS.

WEDNESDAY, *June 14.*

The Lord proceeded to hear Counsel in the appeal of the *York Building Company* against *Mackenzie*; the *Lord Chancellor* delivered his sentiments at considerable length, when the decision of the court of session was affirmed with 100l. costs.

Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, *June 14.*

John Lloyd, Esq. took the oaths and his seat for Flintshire.

The House in a Committee went through the Scotch militia, the Alien bills, and the Attornies Indemnity bill.

The *Secretary at War* brought up a more correct estimate of the additional allowance granted to the privates, non-commissioned officers, &c. of the army, and the former estimate being withdrawn, this was laid upon the table, and ordered to be taken into consideration on Friday next, in a Committee of supply.

Lord *Belgrave* gave notice that he should defer to some future time his motion which stood for the next day, relative to the election treating laws.

CORPORATION JURISDICTION BILL.

Mr. *Parker Coke*, moved that the House resolve itself into a Committee of the whole House on the Corporation Jurisdiction bill.

He

He expressed his surprise at the uniform opposition given by the honourable member to the bill in all its stages, but more particularly to its going into a Committee where the merits of the respective clauses might be discussed.

Mr. *Wigley* opposed the motion.

The House divided on the question, that the speaker do now leave the chair.

<i>Ayes,</i>	—	36
<i>Noes,</i>	—	7
<i>Majority</i>		29

The bill was accordingly committed.

On the chairman's reading the clause which went to exempt the city of Exeter, Mr. *Wigley* opposed it, on the ground that if the bill was good for every other part of the kingdom, it was also good for the city of Exeter.

The *Master of the Rolls* argued at some length on the propriety of the bill, and expressed his wish that it might pass this session.

After a few words from Mr. *Coke*, Mr. *Bassard*, and Mr. *Wigley* in reply, the question was put on the clause of Exemption.

<i>Ayes,</i>	—	—	36
<i>Noes,</i>	—	—	11
<i>Majority</i>			25

The following amendment was then proposed to be made to the clause: or unless in cases of indictment removed by writ of *certiorari* to his Majesty's court of king's bench.

Another division took place on this amendment, which was followed by several more on the various clauses of the bill, and it was, we understand, at length agreed to, while strangers were excluded, that the debate on one of the clauses should be adjourned to this day three months.

A message was received from the Lords, acquainting the House that their Lordships had appointed two of their number to go up to St. James's the next day, to wait upon his Majesty with the address of both Houses respecting the promulgation of the statutes, and requesting the House of Commons to appoint a proportionate number of their members to go up along with them. Four Gentlemen were appointed.

Mr. *Hobhouse* said, that on account of the absence of an honourable friend of his (Mr. *Sheridan*) who was prevented from attending on this day by indisposition, he meant to have proposed, that the Committee on the stamp duty bill should be

further deferred till Monday next, but as he understood that his honourable friend would have an opportunity of delivering his sentiments on a future stage of the bill, he had no objection to enter into the business on that evening.

THE BANK.

The *Chancellor of the Exchequer* gave notice, that next day he would move for leave to bring in a bill to continue the restriction on the Bank from paying in cash.

STAMPS.

The House having resolved itself into a Committee of the whole House on the bill for granting to his Majesty additional duties on stamps,

Mr. *Hobhouse* stated some objections against the bill, as far as it affected mortgage deeds, transfer deeds, and agreements.

The *Chancellor of the Exchequer* replied, that the duty proposed to be laid on transfer deeds, did not form a part of this bill.

Mr. *W. Bird* objected to the additional duty which it was proposed to lay upon admissions into corporations, upon the ground that it threw an additional difficulty in the way of a man obtaining the right of election.

The House divided on this clause,

<i>Ayes,</i>	—	—	61
<i>Noes,</i>	—	—	11
			<hr/>
		<i>Majority,</i>	50

NEWSPAPER ADDITIONAL DUTY.

The Committee came next to consider that part of the bill which respected newspapers, and on the motion of Mr. *Rose*, that three half-pence additional duty be imposed upon each paper,

Mr. *Hobhouse* rose to oppose this clause. He lamented most sincerely Mr. *Sheridan's* absence; but he could not help stating those objections which occurred to him against this part of the bill. He considered it as a direct invasion upon the liberty of the press, and as brought forward, not in aid of the revenue, but for the purpose of suppressing a very useful class of publications. It was a part of the system upon which the present Ministers had uniformly acted:—In the treason bill they laid restrictions upon WRITING; in the sedition bill they prohibited persons from assembling to CONFER together; and now, by what was called a tax bill, we were to be cut off from reading the very useful publications called newspapers. This was the strongest

strongest objection against the bill. It would, however, operate very severely against a number of individuals. It was vain to expect that the circulation of newspapers would not be diminished in consequence of this addition to the duty. The Chancellor of the Exchequer had rated the produce of the additional tax of three halfpence at three-fourths of the former duty of two pence, not making allowance for the loss of the sale of a single paper. He would find, however, that people who used to take in a paper by themselves, would now enter into partnership, and that instead of taking a paper every day, would be contented with one three times a week. He was surprised that ever it should have been held out as a source of revenue. Besides, as an additional capital would be necessary for the newspaper vender, either some allowance must be made to him, or he must raise the price of his paper. As to the additional duty on advertisements, he was of opinion, that instead of being productive, it would prove injurious to the revenue. The advertisers were mostly Booksellers or venders of quack medicines. In consequence of the additional imposts they would advertise less frequently, and sell fewer of their goods, so that the revenue would thus lose two ways. It would lose the duty on the advertisements, and it would lose the duty also upon the paper on which books are published, and upon the medicines which are sold. Upon these grounds he hoped that the House would agree with him in thinking that they ought not to entertain the present bill.

The *Chancellor of the Exchequer* said, that as it was not necessary to touch on those political measures to which the honourable Gentleman had alluded, the question appeared simply to be, whether the article under consideration was able to bear the additional tax which was proposed to be laid on it. When he considered the increased circulation of newspapers, one could hardly find, in his opinion, a more just and proper subject for taxation. An allowance was certainly intended to be made both to the proprietors and venders of newspapers, and he would state what that allowance was. It was undeniable, that an addition of capital would, in consequence of the duty, be necessary. And it was found requisite to take into consideration what degree of increased charge or expence might be brought on the proprietors and venders, as well as what allowance might be reasonably made so as to leave to them the same profits as before, without giving them a pretence to raise the price of the article on their customers. It was not to be expected, that the rate of discount which it was proposed, after

every possible enquiry, to be made to them should satisfy them all, nor would he undertake to say that it would satisfy any of them. But there was no reason to suppose that there would not be as great a profit left both to the proprietors and venders for their capital as before by making the rate of discount between them equal to 16 per cent. of the whole duty. With respect to any calculation as to the probable decrease of the sale of newspapers, he could by no means admit that as a principle by which the Committee were to regulate their opinion, for if once admitted, it might with equal propriety apply to every other article of taxation in the Excise or Customs. He however believed, that the sale of newspapers would not decrease, as the desire to peruse them was becoming every day more eager and universal.

Mr. *W. Smith* understood that the case of the London and of the country newspapers was very different, and that the present bill would prove ruinous to the latter. He reminded the House that newspapers were not like any other object of taxation. Whatever affected the independence of newspapers, affected the *Constitutional* interests of the public. It was perfectly notorious, that under every administration there were certain newspapers pensioned by the Government. But if a man, by the fair profits of a newspaper, realized 1000*l.* a year, or more, he would look with the greater indifference on 500*l.* whereas if he were reduced to the brink of ruin, such an offer would be gladly accepted. The present tax in its consequences therefore tended to put every newspaper in the kingdom in the power of Administration, by making them purchasable at a low price. Upon these general grounds, as well as from its injurious operation upon individuals, he opposed the bill.

Mr. *Hobhouse* said he understood that credit was sometimes given by the proprietors of newspapers. The proprietors of newspapers who were likewise the venders did give credit, and that to a considerable amount.

Mr. *Rose* said it was true that the proprietors of country newspapers were likewise the venders. What was the opinion of the country proprietors was not known from themselves, but from a person in London, who was agent for most of them, his Majesty's Ministers were informed that they were perfectly well satisfied. At present the proprietors of newspapers were allowed a discount of 4 per cent. for various charges. For the new duty it was calculated that 9 per cent. would cover any additional expence or diminution of profit, which made 13 per cent. besides which, there was 3 per cent. more allowed, which,

which, supposing their sale to be the same, would be a profit of 3 per cent. on the duty.

The Committee then divided,

<i>Ayes</i> , (For the clause)	—	60
<i>Noes</i> , (Against it)	—	10
		<hr/>
	<i>Majority</i> ,	50

The Committee then went through the different clauses of the bill.

A clause was brought up to allow a discount of 16 per cent. in lieu of all discount now given to those who should not raise the price of the newspaper more than the amount of the duty.

Another clause to allow the discount to those who, within the space of three calendar months, had not raised the price of their paper, and who should not take more than the amount of the duty.

A clause was brought up to allow four per cent. to those who should raise the price of their papers in a greater proportion than the amount of the duty.

A clause was brought up requiring different stamps to be used by those who only raised their paper the amount of the duty, and took the discount of 16 per cent. and those who took only four and raised the price in a greater proportion.

These clauses were agreed to, the House was resumed, and the report ordered to be received to-morrow.

The House went through the Committee on the Scots' Militia bill. Adjourned.

HOUSE OF LORDS.

THURSDAY, June 15.

Examined witnesses in Teast's divorce bill.

Read the bills on the table in their different stages.—Adjourned.

HOUSE OF COMMONS.

THURSDAY, June 15.

The bill for better regulating the assize of bread in the city of London and the weekly bills of mortality was read a third time, and passed, on the motion of Mr. Alderman Anderson.

The Committee of the whole House on the Scots' Distillery bill was deferred to Monday. As was also that upon the slave carrying bill till the next day.

The bill for general inclosure of waste lands by agreement, &c.

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&c. passed the Committee of the whole House, and the report was ordered to be received the next day, upon the motion of Sir John Sinclair.

Agreed to go into a Committee of the whole House on Monday on expiring laws.

The Corporation Causes bill was ordered to be submitted to the further consideration of a Committee of the whole House on Monday, on the motion of Mr. P. Coke.

GAME LAWS.

Mr. *Jolliffe*, pursuant to the notice he had given, said, he had to call the attention of the House to the present law respecting the commencement of partridge shooting. His object was to allow Gentlemen to take that amusement upon their own estates at any time between the first and the fourteenth of September, and by the consent of their tenants, or other occupiers, on other grounds in the same manner. He therefore moved, That the last Act of Parliament that passed upon that subject be read, which being done, he moved, That leave be given to bring in a bill to explain and amend the said act.

Mr. *Wigley* thought that the measure which was now proposed might become very injurious to corn, a consideration which he thought of was more importance than that of the amusement of any class of persons, and therefore he opposed the motion.

The question was put and negatived.

Mr. *Hobart* brought up the report of the New Stamp Duty bill. The amendments made in the Committee were all read; agreed to, and the bill was ordered to be read a third time next day, if then engrossed.

BANK OF ENGLAND.

The *Chancellor of the Exchequer* moved, That his letter to the Bank Directors on the 12th inst. and their answer on the 13th, be laid before the House.—Ordered.

They were produced immediately. The substance of the former was, that in the Minister's opinion it was not expedient, under all the circumstances; that the Bank should resume its payments in specie on the 24th inst. the period specified in the late Act of Parliament. The latter expressed the acquiescence of the Bank Directors to the opinion of the Chancellor of the Exchequer.

The *Chancellor of the Exchequer* then moved that the act of this session of Parliament founded on the Order in Council of the 26th of February be read, which being done,

He stated, that as the period was now nearly elapsed which prohibited

prohibited the Bank paying in specie, it became necessary to consider the probable effect of suffering the prohibition to expire; and although it was extremely desirable that the Bank should resume its usual operations, and although he had great satisfaction in finding that so much difficulty as might have been expected to arise from the suspension of the ordinary functions of the bank, they were by no means so great as had been predicted by some, yet he thought the restriction having taken place, it required more than usual circumspection and caution in taking it off, and Parliament should take care that the Bank should not be placed in a state of new hazard, unless they had a clear and confident opinion it would be perfectly safe for the Bank to resume its usual mode of paying on the day now left open for that purpose. He thought it would not, under all the circumstances, be prudent to allow the Bank to do so. He had stated this to be his opinion in his communication to the Bank Directors, and they had concurred in that opinion, but he wished that if any measure was adopted for continuing the restriction, it should be subject to such modifications as might enable them to resume their payments, when, upon full examination of the matter it might be thought prudent to do so. He did not think it necessary to enter into any detail at present: that ought to be reserved for a period after the introduction of the bill which he should move for leave to bring in. The reason which the Committee had for not reporting the given quantity of cash and bullion in the Bank, at the commencement of the restriction, afforded to the House a sufficient excuse on his part, for not entering into any distinct statement upon that subject. He had, however, the satisfaction to say, that, under all the circumstances, although he did not think it prudent that the restriction should cease on the 24th, yet there was in the affairs of the Bank, with regard to the means of payment in cash, an improvement that was highly consoling, and that the apprehension of their not recovering their ability to pay in the accustomed manner, was greatly exaggerated when the subject came first before the House. The House, he was confident, would now see the reason why he did not now enter into particulars. He then moved, That leave be given to bring in a bill to continue for a time to be limited, the said act, under certain regulations and restrictions.

Mr. *W. Smith* said, he did not mean to oppose the present motion. He had only to observe that all those who thought properly upon this subject could not expect all the difficulty of it to be felt immediately, because the facility of the moment

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to issue paper was great. This measure he believed to be no surprise upon any body in that House, for there was hardly any body who really expected that the Bank would open its payments in cash on the 24th of June, 1797.

Mr. *Hussey* wished to know whether the Chancellor of the Exchequer could not give to the House some account of the situation of the Bank now as compared with its situation at the time when the restriction was laid on? The public, at present, had only the opinion of the Chancellor of the Exchequer relative to the necessity of continuing the restriction. They know nothing of the amount, of the nature of the discounts of the Bank, supplied with paper in the lieu of cash. The public knew not what calls might be made on the Bank for cash when they were allowed to open, and allowing the Bank to go on to an unlimited amount, appeared to him to be a thing which might have about it a degree of hazard which the public were not aware of.

The *Chancellor of the Exchequer* said, he was able to state, as far as his knowledge of the fact extended, that the comparative situation of the Bank upon the whole, with reference to Bank notes and bullion, was very considerably improved. The discounts of the Bank, and the issue of paper, although liberal and equal to the exigency of commerce, were by no means unlimited, or unqualified. Nothing had issued but upon a solid and corresponding capital. He was anxious to come to the termination of the restriction, but although that could not be on the day appointed, yet it was a satisfaction to the public to find that the inconvenience of the measure was much less than had been foretold. Indeed the consequences of the measure had been the reverse of what had been foretold by its opponents.

Mr. *Hussey* said, he thought he understood the Chancellor of the Exchequer, and he wished to understand him. But he had not stated on what documents he formed his opinion. What proof had he to enable him to judge of the quantity of discounts lately made by the Bank.

The *Chancellor of the Exchequer* said, that certainly he had no official documents of the outstanding discounts of the bank, nor of the bills of the Bank, but he had seen a statement on which he thought he could safely form an opinion upon the points to which he had already spoken.

Mr. *S. Thompson* said, he had no objection to inform the House how the matter stood with regard to discounts and the paper of the Bank. The fact was, that the Bank had been extremely

extremely guarded in the issue of its paper, and it did not now amount to more than the usual average for some years past.

The question was then put and carried.

FORESTALLING AND REGRATING.

Mr. *Secretary Dundas* said, it was proper that he should give notice that next day he should call for the very serious attention of the House (which he hoped would not be thin) to the bill which was now before it, and which was matter of great importance, he meant the bill for forestalling live cattle. He meant to contend that the House should beware of the probable ill effects of altering a law that had now stood upwards of 20 years.

Mr. *Burdon* gave notice that on Monday he would move for leave to bring in a bill to revive certain regulations relative to the restraining the negotiation of Bank notes.

Adjourned.

HOUSE OF COMMONS.

FRIDAY, June 16.

A new writ was ordered for the county of Buckingham, in the room of the hon. James Grenville, who has accepted of the chiltern hundreds.

The Committee on the bill to prevent the forestalling of live Cattle, was postponed till Thursday.

The order of the day for the second reading of a bill to repeal so much of an act of George II. as makes negroes real assets for the payment of debts, being read,

Mr. *B. Edwards* explained the principle of the bill. Every humane mind must shudder at the idea of putting up human beings to sale like cattle, for the payment of debts. Yet this practice prevailed very generally in the island of Jamaica. The cruelty of the practice was revolting. After the sufferings the negro had encountered on his first leaving his native country, on the middle passage; after having, by his industry, raised a little money of his own, to be taken and sold, perhaps to be sent to the mines of Mexico, was a most severe and dreadful lot. To remedy this evil, the present bill was intended, and he was convinced that the example of the House of Commons repealing the part of the 23 to which the bill alluded, would pave the way for the repeal of the Colonial laws on the subject, and ultimately to

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the utter extinction of the practice. He concluded with
moving that the bill be now read a second time.

It was accordingly read, and ordered to be committed.

Mr. *Hussey* asked the *Chancellor of the Exchequer*, when he
intended to bring forward the Turnpike and the Inland Na-
vigation taxes?

The *Chancellor of the Exchequer* said, that various and ex-
tensive communications had been made upon these subjects,
and after every necessary information was obtained to enable
him to make up his mind finally, he should give notice of
the specific day when the discussion would be brought for-
ward.

The Slave Carrying bill was put off till Tuesday.

SCOTCH DISTILLERIES.

The House then resolved itself into a Committee of Ways
and Means. Mr. *Hobart* in the chair.

The *Chancellor of the Exchequer* rose to make a proposal to
the Committee, to levy a duty of 6l. 10s. per gallon upon
the distilleries in the Highlands of Scotland, which, added
to the 2l. 10s. now raised, would make a sum total of 9l.
per gallon duty upon every still in that part of the kingdom.
To this addition, he trusted, there could be no great objec-
tion, since, even with that, the distilleries in the Highlands
would bear but a small proportion in their contribution to
the revenue with the distilleries in the Lowlands, which are
rated at no less a sum than 54l. per gallon. The general
principle upon which this difference had hitherto been
founded, was a representation that the stills in the Low-
lands were much larger than those used in the Highlands,
and a cheapness and goodness in the articles, which being
taken on so large a scale, compensated fully for it. He was
not capable of forming a precise idea what difference there
ought to be in the duty for this difference in the distilleries,
and therefore he should propose the present duty for a short
time only, in order to investigate what duties the distilleries
in the Highlands will bear. In respect to altering the line
of demarcation between the Lowlands and the Highlands,
he trusted he should also be justified, since it was a well-
known fact, that where the country was not barren, and
where it was an easy matter to procure grain at a reasonable
price, and afterwards dispose of the article at an enormous
profit, according to the present line of demarcation, many
places

places were exempt. As there would be some difficulty, however, attending an alteration of this nature, to know precisely where the burden ought to fall, and where it ought not, he should propose to make such places as were formerly within the old boundary, and by an alteration might be now included in the new, an intermediate district, subject to particular regulations. He said, he had the satisfaction of knowing that no material objection had been given to these measures by any of the parties concerned; and concluded by moving, that it was the resolution of the Committee, towards raising the supply to be granted to his Majesty, that a sum of 6l. 10s. per gallon over and above the duties now levied, should be raised upon every still used in that part of the kingdom called the Highlands of Scotland.

Sir *Wm. Pulteney* contended that equality of taxation all over the country, both in England and Scotland, especially on spirits, ought to be established, and this he was convinced would conduce to the interest of the whole.

Mr. *M D wall* said, that if the duty was not imposed in a much higher degree than it now was payable upon the Highland Distilleries, the Distillers of the Lowlands could not go on, and that next year no licences would be taken out but for the Highland districts, which would occasion a loss to the revenue of more than 400,000l. per annum. Great quantities of spirits were smuggled from the Highlands into the Lowlands. This was evident from the consideration, that though the large towns and the principal population were in the Low Countries, the contents of the stills were 10,000 gallons for the Highlands, and 6,000 for the Lowlands. It was said that the saving of labour, &c. on the large stills, enabled them to pay more duty than the small ones. He had enquired into the subject, however, and had conversed with two very eminent distillers, Mr. Langdale and Mr. Liptrap; the former had informed him, that five stills of 40 gallons, would do as much in 24 hours as one of 200 gallons. Mr. Liptrap thought that the still of 200 gallons would do fully as much, from which it appeared, that there was no reason for the difference of duty. He therefore proposed, that instead of six pounds ten shillings additional, it should be nine pounds. This, however, he should not press at present. He had understood that the business was not to have come on till Monday.

The *Chancellor of the Exchequer* said, that Monday was the day for the discussion of the measure, but it was necessary to vote the sums in a Committee of Ways and Means.

After a few words more from Mr. *M. Dowall* and Sir *H. Pulteney*, the Resolution was agreed to. The House resumed, and the Report ordered to be received on Monday.

BANK PAYMENTS.

The bill for continuing the Restriction on the Bank, was brought up and read a first time.

The *Chancellor of the Exchequer* said, that Gentlemen would see that the bill was the same as the former one, with the omission of the clause of Indemnity, now unnecessary, and the clause empowering the Bank to pay in cash upon a given notice. It was the wish of the Bank to be enabled to resume their payments, under certain restrictions, without notice. Upon the whole, as the discussion likely to arise on the bill would be confined to the nature of the restrictions, and the duration of the bill would take place better in the Committee, it was his intention, therefore, to move the second reading now, and fix the Committee for Monday, which was agreed to.

The House went through a Committee on the American Treaty Bill.

The Army Extraordinaries were deferred till Monday. Adjourned.

HOUSE OF LORDS.

MONDAY, June 19:

SCOTS APPEAL,

THE YORK BUILDINGS COMPANY, VERSUS JAMES BREMER, ESQ.

Their Lordships heard the Attorney General and Mr. Anstruther on behalf of the Respondent; after which,

The *Lord Chancellor* rose, and stated his sentiments of the case. He concluded by moving, "That the Appellants do pay to the Respondent the sum of 100*l.* costs in this case." Which was ordered accordingly. This decision goes to affirm the judgment of the Court of Session.

The various Bills upon the Table were forwarded in their respective stages: among these was the commitment of Teaffe's Divorce Bill, in which a provision was made in the Bill for settling an Annuity of 150*l.* for the maintenance of Mrs. Teaffe. The Bill was ordered to be reported.

THE SURGEONS' BILL.

On the question for the third reading of this Bill, counsel were ordered to be heard, on which,

Mr. *Plomer* was heard as Counsel for the Petitioners against the Surgeons' Corporation Bill. He stated, that the number
of

of Petitioners against the Bill amounted to 178; that this Bill had been clandestinely introduced at the instance of 11 persons, and without the consent or knowledge of the parties immediately interested; and that, in the present instance, every rule of the House respecting private bills had been violated. This Bill affected the interest and property of above 500 individuals, and had been introduced into Parliament by 11 persons, without any previous notice being given to the Members of the Corporation. He stated, that the Bill had been introduced by a few persons in consequence of the improvident sale of estates belonging to the Company, and the purchase of houses. By this Bill, all the concerns of the Corporation would be laid prostrate at the feet of 21 persons, who were also empowered to put an absolute negative upon any one practising Surgery within ten (instead of the former limits of seven) miles of London, under the penalty of 10*l.* per month, without they submitted to become Members of this Corporation, otherwise they were to be excluded from the practice of Surgery, whatever their abilities might be. Experience, he said, had condemned the practice now proposed to be adopted; he referred to the mal-administration of the affairs of the Company by the Corporation. From the year 1745, it had been in the receipt of a revenue exceeding 80,000*l.* whilst they had promoted no public institution for the promotion of Surgical Science, or for the benefit of the Corporation; whilst above 16 000*l.* of that money had been put into the pockets of individuals, and the rest dissipated in public dinners; one Gentleman (Mr. Gunning) had stated that he had saved the Company above 170*l.* per annum in the article of dinners. The Counsel considered it as reflecting disgrace on that learned body, that they had a theatre without Lectures, and a Library without books.

The Bishop of *Rochester* here called to order. He thought the learned Counsel was consuming the time of the House by going over the same ground which had been trodden in the Committee; and he proposed that the Counsel should be restrained to bring forward new arguments.

The Lord Chancellor said, that the Counsel should be suffered to proceed; it was easy to object generally to certain descriptions of oratory; but it would be found very hard to reduce such objections to a proposition. The reverend Prelate had made no motion respecting the instructions to be given to Counsel; and he must proceed of course. Add to this, there were many Peers in the House, who did not attend the Committee; the matter was therefore new to them. The
mittee

House were to consider the principle of the Bill. The Committee could only investigate its details. It was their Lordships duty to hear the Counsel; and he never knew a measure which called more loudly for reprehension than that at present in question. It demanded a repetition of objections to it, however they might be grating to ears of some individuals.

The Bishop of *Ro. hester* said a few words in support of the objection he had before urged to the hearing Counsel.

Lord *Thurlow* strenuously supported his arguments in favour of the Counsel's proceeding. He then adverted to the bill—said it was one of the greatest importance, and attacked not only the rights, but the property, of a great body of individuals—it went to vest the whole power of a very respectable Corporation, in perpetuity, in the hands of a few persons; and a great number of practitioners were, by the bill, proposed to be admitted into the Corporation only for the purpose of giving the few the more power to crush them under foot, which could not be so conveniently done under the existing regulations.

The Lord Chancellor was of opinion, that as the proceedings then stood, the Counsel should be heard.

Mr. *Plomer* was then called in, and proceeded at some farther length his arguments against the bill. When their Lordships (as we could understand) adjourned the farther hearing till Thursday.

The Royal Assent was given by commission to the Loyalty Loan Subscribers, the Levant Trade Restriction, the Corn Importation, the Debtors Relief, (commonly known by the appellation of the "Lord's act") bills; also to the Ramsgate Harbour bill, and to twenty other bills of a local or private description.

The Commissioners on this occasion were, the Lord Chancellor, *Marquis Cornwallis*, and *Earl Spencer*.

ADDITIONAL DUTIES ON NEWSPAPERS.

After their Lordships had waited some time, Mr. *Hobart* presented from the House of Commons the bill for granting to his Majesty certain additional Stamp Duties (among which the above are included). The bill was forthwith read a first time, and at seven o'clock the House adjourned.

HOUSE

HOUSE OF COMMONS.

MONDAY, June 19.

BANK RESTRICTION BILL.

The *Chancellor of the Exchequer* moved the order of the day on the bill for continuing the restriction on the Bank of England relative to the payment in cash, &c.

The House consequently went into a Committee upon the bill.

The *Chancellor of the Exchequer* said, that the blanks in the present were to be filled up as they were in the former bill, and the only question was, that of the duration of the restriction. This he proposed to be until the end of one month after the commencement of the next session of Parliament. He should propose, however, a clause by which the Bank should have the liberty of renewing its operations of payment in cash sooner on their giving a notice specifying the description of the demand which they were to pay. They would in that notice state what dividends, or other description of debt they should pay in cash. This, he thought, was a measure that was founded in policy, for it was calculated to enable the Bank to open gradually.

The question was then put, and the blank filled up to continue the restriction for one month after the commencement of the next session of Parliament.

The *Chancellor of the Exchequer* then proposed his clause, providing that it shall be lawful for the Governor and Company of the Bank of England to issue cash out of any cash in their disposal in payment of the whole or part of any debt whatever outstanding against them, at any time during the continuance of the act, on giving five days notice to the Speaker of the House of Commons, giving a description of the debt which they intend so to discharge, which notice the Speaker of the House of Commons is to cause to be inserted forthwith in the London Gazette.

Mr. *Wm. Smith* wished to know whether it was meant to give to the Bank a power of selection as to the persons whom they were to pay in cash during the continuance of this act? He saw no good reason why it should be so.

The *Chancellor of the Exchequer* said, that the Bank would not by this clause have the power of selecting any individuals whom they should pay in cash; for it directed, not that they should name any individuals whom they intended to pay, but to give a description of the debt or demand which they intended

tended to discharge in cash. The object of the clause was, that the Bank should be enabled to open gradually; they must have some discretion in doing so; and it could only be done by their choosing the species of demand which they should prefer, and giving a description of it in their notice.

Mr. *Wm. Smith* was not yet satisfied that the operation of this power might not be that of giving preference to some individuals.

The *Chancellor of the Exchequer* said, that he saw no better mode of allowing this power for the Bank to open gradually, than that which was now proposed. The description must be general in its nature.

The question was then put, and the clause was agreed to.

The House being resumed, the report was ordered to be received the next day.

SCOTCH DISTILLERIES.

Mr. *Hobart* brought up the report of the Committee of Ways and Means.

The resolution for charging 6l. 10s. per gallon on the contents of the Still in the Highlands of Scotland, was read and agreed to.

This resolution being referred again to a Committee of the whole House, a conversation took place upon the subject of distilleries, and the consumption of spirits among the lower orders of the people, and of the produce to the revenue, &c. in which Mr. *Macdowall* expressed his decided disapprobation of the tendency of the present bill, and his earnest wish, that, after the measure should have gone through a complete investigation, the Highland and the Lowland Distilleries might be put on a proper and equal footing, which would greatly contribute to increase the industry of the country.

Mr. *Ferguson*, Mr. *Frazer*, Sir *Charles Ross*, Lord *F. Campbell*, and Mr. *Wilberforce* were equally conscious that the bill in question should be maturely considered and fully investigated, that it might come under discussion next session, after gentlemen had had sufficient time to make up their minds on the subject, the present being only intended as a temporary measure.

Sir *Wm. Pulteney* wished to know whether the bill was to be investigated in Parliament, or by the Treasury Board? If by the latter, they would bring in a bill according to their own ideas, and all investigation would afterwards be to no purpose. The

The *Chancellor of the Exchequer* said, that, nothing had fallen from him which could authorise the honourable Baronet to suppose that it was his wish to surrender the rights of Parliament on this or any other subject; all he intended was, that the article of spirits should pay as high a duty as it could bear; but first it was necessary to fix the proportion to be paid by stills in different parts of the country and of different descriptions. Nothing, therefore, could prevent the honourable Baronet from moving for any investigation he should think proper when the subject would come before the House next session.

It was then agreed, that the present bill should remain in force for one month after the commencement of the next session.

The Committee then went through the bill, and the report was ordered to be received on Thursday.

ADDITIONAL STAMP DUTIES.

The bill for imposing certain additional stamps on newspapers and other articles, was read a third time.

The question being put that the bill do pass,

Mr. *Bouverie* observed that an honourable Gentleman had said, on a former day, when this subject was before the House, that the proprietors of country newspapers were satisfied with this bill as it stood. He had said, that he had received a letter from a person of the name of Taylor to that effect. Mr. *Bouverie* said, that he had received a letter from one of his constituents, who was a proprietor of a very considerable country newspaper. He was by no means satisfied, nor was he authorised from any proprietors of newspapers, to say, that they were satisfied with this bill.

Mr. *Rose* said, that he never asserted, that all the proprietors of country newspapers were satisfied with this bill, but that he was informed by letter from Mr. Taylor, who was agent in London for the greater number of them, that they were generally satisfied.

Mr. *Bouverie* said, that the proprietors of country newspapers gave twelve months' credit, and he thought that some further allowance ought to be made to them on that account.

The *Chancellor of the Exchequer* was not of that opinion.

Mr. *Jekyll* lamented that a subject of so much importance was brought forward at so late a period of the session, and in so thin a House. He objected to the principle of the bill, as far as went to tax newspapers. It went collaterally to diminish the liberty of the press, by diminishing the means by which the press was supported. He was sorry that the bill was not

divided into two bills: that the subject of newspapers might be discussed separately as had been proposed by an honourable friend of his, (Mr. Sheridan) whose absence that day he very much lamented. A tax upon newspapers had been called, by the Chancellor of the Exchequer, a tax on luxury. He owned he did not see much luxury in their contents of late, unless accounts of public calamities and disasters could be deemed such. He considered this duty as a penalty, which would in all instances check, and in some prohibit the publication of newspapers, by which the diffusion of knowledge would be materially and injuriously prevented. It was true that the Chancellor of the Exchequer stated, that it would improve the revenue 100,000*l.* a year, but he doubted whether it would produce any thing, because he believed that the diminution of sale would equal the increase of the duty. For these reasons, although he should not have objected to the other provisions of the bill had they been separated, he was under the necessity of giving his negative to this motion.

Mr. *Smith* said, that the objections of the proprietors of country newspapers, to this bill, were by no means done away.

The question was then put, and the bill passed.

Mr. *Rose* brought up a bill for imposing a stamp duty upon receipts, for the payment of money, for carrying goods for hire. Read a first, and ordered to be read a second time the next day.

The other orders of the day were deferred.

Adjourned.

HOUSE OF LORDS.

TUESDAY, *June 20.*

Heard counsel on the claim to the peerage of Glencairn.

Received from the Commons the bill for continuing the restriction on the Bank of England with regard to their paying in cash, &c. and some other bills, which were read a first time. Adjourned.

HOUSE OF COMMONS.

TUESDAY, *June 20.*

Mr. *Hobart* brought up the report upon the bill for continuing the restriction on the Bank of England with regard to their paying in cash, &c.

Mr. *Hussey* said, that it appeared to him yesterday when this bill was in the committee that a clause in it would empower the Bank to pay in cash, any person they should think proper

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to select for that purpose, who had any just demand upon them. He had since read over the clause, and he was still of the same opinion.

The *Chancellor of the Exchequer* said that, by the clause alluded to, the Bank would have the power of paying any debt without distinction, that was, they would be empowered to pay in cash any description of debt after they had given notice as required by the clause, but they could not pay Bank-notes, the property of any particular person, at pleasure, unless included in the description. They might pay Bank-notes, or they might pay dividends in cash. If they paid Bank-notes, they might do so to the amount, and of the kind which they specified in the description which they were to give in their notice. If they intended to pay dividends, they must also describe the nature and extent of such dividends before they paid them; but they could not pay individuals at will without including the nature of their demands in such notice.

Mr. *Huffey* said, he did not mean to insinuate that the power now proposed to be given to the Bank would be abused; nor did he pretend to be much of a critic upon the grammatical construction of words, but he confessed that it appeared to him this bill would give the Bank the very power which the *Chancellor of the Exchequer* said was not to be given.

The Report of the Committee was then agreed to, and in a few minutes afterwards the Bill was read a third time and passed.

The bill for reviewing the late regulations with regard to negotiation of Promissory Notes, &c. was read a second time, and ordered to be committed to a Committee of the whole House on Friday, on the motion of Mr. Burdon.

The Bill to prevent Negroes in the Colonies and Plantations of America being sold as real Assets for the payment of debts, passed a Committee of the whole House, and the Report was received immediately, and the bill was ordered to be engrossed, on the motion of Mr. B. Edwards.

The Report of the bill for carrying into effect the Treaty of Intercourse with America, was ordered to be received the next day.

The Corporation Causes Bill passed a Committee of the whole House, the Report was received immediately, and the bill, with the amendments, was ordered to be printed, on the motion of Mr. D. P. Coke, who desired the House to understand that he did not mean to press the further progress of this bill in the present Session.

The further consideration of the Report on the Waste Lands

Enclosure Bill was deferred to the next day, on the motion of Sir John Sinclair.

The Committee on the Bill for regulating the mode of carrying Slaves from the coast of Africa, in British vessels, was deferred to Monday, on the motion of Sir W. Dolben. Adjourned.

HOUSE OF LORDS.

WEDNESDAY, *June 21.*

APPEAL FROM A DECREE IN CHANCERY.

THOMAS HENCHMAN, ESQ. *v.* THE EAST INDIA COMPANY.

Lord *Kenyon* sat as Speaker this day. His Lordship attended at one o'clock, and immediately proceeded to hear counsel relative to the above Appeal. After a long hearing, his Lordship took a short view of the case, and concluded by moving the House to affirm the decision of the Court of Chancery.—Which was ordered accordingly.

Read a third time and passed, the Bill for continuing the Restriction on the Bank, with respect to payment in Cash. The Alien Bill, and the Bill for additional Duties on various Stamps, &c. Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, *June 21.*

A Message from the Lords informed the House, that their Lordships had agreed to the Bill for restraining the Bank from making Payments in Cash; the Alien Bill, and the new Stamp Duty Bill, without any amendment, and that they had passed a Bill for the Divorce of Mr. Teaffe, a Merchant, to which they desired the concurrence of the House.

Mr. Serjeant *Adair* presented a Petition in behalf of the prisoners confined for debt in the Borough Gaol of Portsmouth, stating many hardships which they suffer, and praying relief. Ordered to be laid on the table.

The Report of the Committee on the Scotch Militia Bill was ordered to be taken into further consideration on Monday, on the motion of Mr. W. Dundas.

Mr. Alderman *Anderson* brought up a Bill for the relief of insolvent Debtors, which was read a first, and ordered to be read a second time on Friday.

Sir *W. Scott* moved, That the Act of 33d of George III. for the encouragement of Seamen, and the more effectually manning his Majesty's Navy, be read; which being done, he moved

moved for leave to bring in a Bill to amend the said Act, and for making further provision for these purposes. Granted.

The further consideration of the Report of the Committee on the Waste Lands Inclosure Bill, was deferred till Friday, on the motion of Sir John Sinclair.

The Committee of Supply, and Ways and Means, were deferred to Friday.

Mr. Alderman *Anderson* presented a Petition on behalf of Messrs. Bullei and Company, merchants, in London, against the Bill now pending for the relief of Ship Owners, and praying that it may not pass into a law, or that it may be so altered and modified as to have only a prospective effect. Referred to a Committee on the Bill.

Sir *Godfrey Vassal's* Divorce Bill passed a Committee of the whole House.

Mr. *Habont* brought up the Report of the American Treaty Bill; all amendments were agreed to, except one, which was negatived, and the Bill was ordered to be engrossed.

The Bill for preventing Negroes being sold as Assets for the payment of debts, &c. was read a third time and passed, on the motion of Mr. B. Edwards.

On the motion for the second reading of a bill to allow Mr. Manering, the holder of a Promissory Note for 2,500l. to stamp it with a stamp which is required by law to make it a legal instrument, and valid for the recovery of the demand.

Mr. *Erskine* opposed it on the ground that there was no precedent for such a measure, and that to create such a precedent would be dangerous to the public administration of justice, and dishonourable to the records of Parliament, in as much as it would be an advertisement, that any man, who at any time had been nonsuited in the regular process of a Court of Law, for want of legal evidence, and who had produced a document, which, by the forms of law, could not be read, to come to Parliament for leave to alter the stamp of such a document as a mere matter of course, for if this indulgence was granted to one individual, another might afterwards claim it. Persons who had been nonsuited for many years past, would have the same right to apply to Parliament for a similar redress. The Laws when passed in Parliament became the *Records* of Parliament, the same as the *Judgments* passed in the several Courts were the *Records* of those Courts. Of course no *Record* of Parliament ought to be altered, without some special cause being assigned in the preamble of the bill for so doing. In this case there was no cause assigned. A mistake had been made in the stamp, which made it impossible for
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the party to recover on the note. He had been accordingly nonsuited; and he now came to Parliament to crave relief, *because* he had not had his note properly stamped. Thousands of persons were in the same predicament, and would be equally entitled to redress, if they applied to Parliament for it. If a bill was brought in to alter the whole law with regard to stamp duties on this head, it would make a material difference; though he did not hesitate to say he should give his decided negative to such a bill. At present, however, he must set his face against the present bill. The business had been fully investigated both in law and equity. He had seen the answer in Chancery, and though he had the highest respect for the honour and veracity of all parties, he must, as a Legislator, deem it his duty to oppose this bill. He therefore moved, that the second reading of the bill be this day three months.

Mr. *Wigley* contended that the bill ought to be allowed to go into other stages before the House, and complained that the present opposition, in this stage, was not the most candid, as Counsel was this day to have been heard on both sides, and from the allegations they would have been able to produce *pro.* and *con.* the House would be enabled to judge more decidedly on the business. The note in question, which was for 2,500*l.* he averred had been received *bona fide* as a valuable consideration, and as the stamp on which it was given was higher than what was required by the stamp duties, he thought that Parliament ought to grant relief, as there was evidently no intention of defrauding the revenue, which was the grand object of the stamp duties. This, he allowed, was a matter of the greatest importance to the public; but here the public could not, in this case, be intended to be hurt, as the stamp made use of was actually higher in value than the law required for the purpose.

The *Speaker* observed, that if there was any desire to continue this debate, he must take notice of the state of the House, it being by no means sufficiently attended to pursue business that was to be debated.

The question being put, a division was called for, when it appeared that there were only nine Members in the House—an adjournment took place of course.

HOUSE OF LORDS.

THURSDAY *June 22.*

The Royal Assent was given by Commission to the bill, for
restraining

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restraining the Bank from paying in cash, &c. the Alien bill,
and several other public bills.—Adjourned.

HOUSE OF COMMONS.

THURSDAY June 22.

Mr. *Long* moved, that the Act of Parliament of the 11th of the present King, respecting the counterfeiting of half-pence and farthings, be read; which being done, he moved, That leave be given to bring in a bill to extend the provisions of the said Act to all the copper coin of this realm. Granted.

The bill for facilitating the collection of the duty on glass, passed a Committee of the whole House, and the report was ordered to be received the next day.

FORESTALLING OF CATTLE, &c.

Mr. *Mainwaring* moved the order of the day on the bill for the better preventing of forestalling live cattle, which was for going into a Committee upon the bill.

Mr. Secretary *Dundas* said, he gave notice some time ago, that he intended to call the attention of the House to the subject matter of this bill. He had considered a good deal on the subject, and he saw much difficulty in assenting to this bill. He had no doubt of the purity of the motives of the friends of the bill, but it did not from thence follow that their judgments could not be erroneous. He had examined the evidence that had been given upon this subject, and he had considered the bill with attention, and although he should not oppose its going into a Committee, because there it might be a good deal altered, yet he found it necessary to say, that the bill appeared to him to be of such a nature, as that in some stage or other he should be under the necessity of giving it his direct negative. At all events it ought to be delayed for some months, in order that those on whose interests it might operate, might have an opportunity of considering it, and opposing it; he did not doubt but that the cutting butchers were of the opinion which they stated; but it did not thence follow, that they were not deceived as to the cause of the evil of which they complained. This bill was a measure which should not be passed hastily, for it seemed to affect all the landed interest of this country, and of every farmer in it. He should not, however, now oppose the Speaker's leaving the Chair.

Mr. *M. A. Taylor* said, the bill appeared to him so totally objectionable, and incapable of modification, that he should oppose it in all its stages. He condemned the principle of the bill;

bill; it would operate as a restriction on trade and agriculture, and tend to enhance rather than reduce the price of provisions: trade would always find its own level, if not fettered with injurious laws and restrictions. He should therefore oppose the Speaker's leaving the Chair.

Mr. *Tierney* thought that the Secretary of State had spoken with candour upon this subject, but the principle which had been maintained by his honourable Friend, who spoke last, surprised him, because if Parliament never should interfere in regulating the price of any article, they were wrong in their interference in the article of bread. He wished this bill to be tried, for a time at least, as a matter of experiment, for it was clear that forestalling had produced much evil. It was not the wish of the cutting butchers to pass the bill in haste, they desired the matter to be well understood.

The question being put, the House divided,

<i>Ayes</i> (For going into a Committee)	38
<i>Noes</i> (Against it)	1

Majority, 37

Which, with the tellers of the division, made a House.

The bill then went into a Committee of the whole House.

Mr. *Mainwaring* said, that since he foresaw he was not likely to obtain the whole of his object by this bill, he would take what he could get of it; he therefore proposed to leave out of the bill altogether, the provision against *Jabbing*, which was called *Ingrossing*. This was done as the bill went through the Committee.

The report was received immediately, ordered to be taken into further consideration on Thursday next, and that the bill be printed.

Mr. *Wilberforce* moved, that the bill for enabling Catholics to enter into the cavalry service, &c, be read a second time the next day.

Mr. *W. Smith* said, that this bill was a repeal of the Test and Corporation Act, so far as the Catholics were affected by it; he saw no reason why Protestant Dissenters should not be placed in the same condition, and therefore he now gave notice, that previous to the commitment of this bill, he should move that instructions be given to the Committee, that the provisions of the bill be extended to Protestant Dissenters in the same manner as to the Catholics.

The bill was then ordered to be read a second time the next day.—Adjourned.

HOUSE

HOUSE OF LORDS.

FRIDAY June 23.

Heard Counsel, and gave judgment in the appeal from the Court of Chancery, *Kidney v. Costmaker*, affirming the decree with costs.

The bills on the table were read in their different stages. Adjourned.

HOUSE OF COMMONS.

FRIDAY, June 23.

The *Chancellor of the Exchequer* moved the order of the day for the House to resolve itself into a Committee of the whole House to consider of a supply to be granted to his Majesty. The House having resolved itself accordingly, he stated, that the motions which he had to submit were upon subjects which had all of them been already before the House. They were grounded on the statements which had been made by a Committee of Finance, and had been stated in a Committee of Ways and Means. The chief article was the sum of four millions for Army Extraordinaries for the current year.

He then moved the different resolutions to the following effect:

180,000*l.* towards the relief of the suffering Clergy and Laity of France for the year 1797.

150,000*l.* for secret service money abroad for the same year.

1,065,662*l.* 13*s.* 4*d.* to defray extraordinary expences of the army from the 7th of January, 1796, to the 7th of December, 1796, both inclusive, not provided for by Parliament.

438,000*l.* for defraying other extraordinary services incurred and not paid up to 5th of January, 1797.

4,000,000*l.* to repay the extraordinary services of the army for the year 1797.

449,000*l.* for the supply of foreign troops for the year 1797.

200,000*l.* for the reduction of the National debt.

The question on each of the resolutions was separately put and agreed to.

The *Secretary at War* rose to offer a proposition to the Committee, with the subject of which the Committee had already been in part acquainted. It was for an additional allowance of pay and other privileges to the garrison forces. One part of the provision for these forces was formerly submitted to the

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Committee,

Committee, and another part which was that he now brought forward, postponed. The reason why this part was postponed, was an intention to make some alterations, which have since been carried into execution, and upon the propriety of which he believed there was but very little difference of opinion. Long before the other part of these provisions was submitted, some doubts were generally entertained whether some alteration should not be made in the pay and allowance of the army, and it was no less generally admitted that what the subalterns received was not sufficient. This also was his opinion; and he had moreover the happiness to find that in this opinion he concurred with his Royal Highness, the Commander in Chief. The consequence of these opinions was, a resolution to submit the necessary regulations to the wisdom of Parliament immediately after the Christmas recess; but in this he was prevented by a succession of events of such magnitude and importance, as claimed a precedence of other matter. The result of the delay in the mean time was this—he had taken up the proposed regulations upon a larger scale, the nature of which he would immediately state to the Committee, premising, however, that in regard to the manner in which the additional pay and allowances were to be carried into execution, a part was to be provided for by an additional bounty of the public, a part would be taken out of the pay of the subaltern officers already provided for, but subject to certain deductions, and a part would cost the public nothing, but be merely a prudent regulation. For the sake of perspicuity, he divided the subject of his motion under three heads; the first was an additional allowance, the second a remission of certain deductions, and the third an abolition of a difference between the subsistence and arrears. The additional allowance was an encrease of pay to the amount of one shilling per day to all the Subaltern officers of the line, Militia, and Fencible corps. What he meant by Subalterns was Lieutenants, Ensigns, Adjutants, and Quartermasters; and where an officer holds two commissions, to allow him only to draw for one. He proposed to make the same additional allowance to all, that was to say, as much to an ensign as a lieutenant, though some people might think the encrease ought to be given inversely; and the reason why he made them equal was, because he meant the additional allowance to provide for the maintenance of a respectable appearance, which cost no more to a lieutenant than an ensign. When he proposed to add 1s. per day, and stated that

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a lieutenant only received 4s. 8d. per day, and an ensign only 3s. 8d. he thought the addition would not be deemed more than was absolutely necessary. He had not extended this addition of allowance to the subalterns of the cavalry, though they were subject to many heavy charges, from which the infantry were exempted, because, considering their difference of pay, and the difference of persons who entered into the cavalry by way of preference, he did not conceive it to be so necessary. So much for the direct increased allowance. He next came to the remission which extended to the officers of the cavalry, as well as the infantry. This remission was a reimbursement of those sums usually paid with a commission for hospital money, agency, and poundage. The advantage he intended to allow was proportionate to the deduction upon the various commissions, which for an ensigncy of foot was 4l. for a lieutenancy 5l. for a cornetcy 9l. and for a lieutenancy of cavalry 10l. This regulation, he said, would prove highly acceptable to those to whom it was extended. The third proposition was extended to both infantry and cavalry, being the abolition of a difference long complained of between the subsistence and arrears. It was his wish to extend this regulation throughout the army, and he had consulted with the Commander in Chief about it; but of this he could not state any confident expectations; he could only state his hopes. To the infantry and cavalry, however, it would, if the House agreed, be certainly extended, and he had no doubt but it would prove highly acceptable to them, while it would not be attended with any great inconvenience to the public. If such a regulation was so much desired, and attended with so little inconvenience, it might be asked perhaps why it had not been made before? To this he would reply, that what was sometimes desired was not always advantageous, and he had doubted, with many more, whether it might not be more beneficial for young men, who were commonly inclined to be inconsiderate or extravagant, to reserve a part of their pay than issue the whole at once. At length, however, he had given way to the opinion of others; but with respect to the public interest, he could not give way without a security, and should not have done so if the sums arising from the detention of arrears were not so inconsiderable in themselves, and the detention productive of so much inconvenience as not to render it worth while to make any stand upon that ground. Having now proceeded through the whole of what he thought necessary to state upon these

subjects, he conceived he could not dismiss them without endeavouring to free Government from a reproach of which the House had heard a great deal. It was said that all arrears were the effect of abuse or neglect: of neglect in not passing the accounts at the public offices, or of abuse from a deficiency of money at the treasury to discharge them. In contradiction to this, he protested that the great delay to which the payments in the army were occasionally liable, did not arise from the neglect or abuse of any public office, but was antecedent to their cognizance, and attributable only to the regiments themselves. For when the regiments were in active or in foreign service, they could not make up their accounts with any regularity or dispatch, and in regard to the public offices, they could not do any more than they now did, unless they had an increased establishment, or neglected the proper attention to the settlements. The army accounts might be settled formerly with greater expedition, but then they were not settled with an equal care. He did not despair in time to see the arrears diminished, and if the regulations which he had recommended took place, it would not be necessary to wait for that progress. He then moved, that a sum not exceeding 60,000*l.* be granted to his Majesty for an increase of pay and allowances to the subalterns, officers of the line, militia, and fencible corps from the 25th of June, 1797, to the 24th of December following, both inclusive, being 183 days.

General Tarleton said, that notwithstanding the very long accounts which were before the Committee, he certainly approved of the proposition now before it, as far as it went. He reminded the Committee that a motion of a nature similar to this was made some years ago. It was a motion merely to relieve subalterns of the line. That motion did not meet the approbation of the House, for which he had always been extremely sorry. He was glad that this motion was now made, and could have wished that the same relief had been extended to the cavalry, as to the infantry. It was true that Gentlemen of fortune entered into the cavalry service, and they could support themselves without any additional allowance, but there were those who had not these means, and who were objects of regard. There was but little to be apprehended from giving too much to those who did not want it, under this head, for those who had large fortunes did not long remain subalterns. Indeed the officers of cavalry were subject to much inconvenience, to which those of the infantry were not exposed. The
expence

expence of accoutrements, for instance, and if a horse should die or become lame, the officer was obliged to buy another. These things made many young men, without fortune, retire from the service in disgust. He therefore wished that some allowance should be made to this description of officers; and if a motion to that effect was not made by some person on the ministerial side, he should early in the next session bring forward something of the kind himself. This he protested he should not do to excite any discontent in the service, but merely for the good of that service. With regard to arrears, he could not help saying, there was a practice which he disapproved of highly. If there was any, the most trifling inaccuracy in the accounts of the regiment, the whole arrears were stopt, until the whole of the accounts were gone through again. He was very glad to understand there were to be regulations in this respect. He lamented very much the loss of an honourable friend of his (General Burgoyne) who understood these affairs extremely well, and who made almost an annual motion upon them. He could have wished to ask what plan his Majesty's Ministers had for bringing this unfortunate war to a conclusion. He might allude to an expedition of great extent, which was planned in the cabinet, and which was concluded with great loss of men. This only appeared in the newspapers, for Ministers gave no account of it. In the course of any other war, enquiries would have been entered into, but now we were come to a state of general apathy, with regard to our public affairs. He lamented these things most seriously; he lamented also, as one of the effects of that apathy of the public, the absence of men of the highest talents. They had called over and over again for enquiry; but they had called in vain. They were defeated in all their efforts. What their eloquence could not accomplish, it would be vain in so inconsiderable a person as him to aim at. He therefore should say no more upon the subject.

The *Secretary at War* said, that in the next article he had to offer a great reduction had taken place, the reduction of four corps in the West Indies, by which some extraordinary expences were incurred; and to this was to be added another reduction, arising from the discovery of a mistake a few days ago in the former estimates, to the amount of 30,000*l*. He then moved, that a sum not exceeding 361,637*l*. 17*s*. be granted to his Majesty for foreign corps in the service of Great Britain for the year 1797.

Mr.

Mr. *Huffey* wished to be informed where these corps were, and how expences could be incurred by the reduction of corps in the West Indies?

The *Secretary at War*, in answer to the first question, said some of the foreign corps were in the West Indies, and others in Portugal, whither they had been moved from Corsica. In answer to the second, he said foreign corps could not be dismissed abruptly without an allowance for expences to bear them home; a compensation for the sacrifice of other prospects in life, and a temporary provision till they could regain employment.

The resolution then passed.

15ocl. were proposed to be voted for the support of the Veterinary College.

Mr. *Huffey* wished to know the benefit the public were expected to derive from that college.

The *Chancellor of the Exchequer* said, that there was a prospect of great public benefit from the improvements which had been already made by this college in the course of its labours; and even if there had not been any he thought it would be a wise measure to devote that sum for its encouragement.

The resolution then passed.

The bill for enabling persons of the Roman Catholic religion to serve as officers in the supplemental cavalry and militia was read a second time, and ordered to be committed to a Committee of the whole House on Tuesday.

The Scots Distillery bill was re-committed; and the report ordered to be received on Monday.

On the reading of the Order of the day, on the bill for imposing a stamp on receipts for money given for carrying goods by hire,

Mr. *Huffey* suggested the propriety of printing the bill, that people all over the country might have a chance of understanding it.

Mr. *Rose* observed, that this might be ordered after the bill passed the Committee, if the House thought fit. Ordered to be committed to a Committee of the whole House on Monday.

The bill for the relief of insolvent debtors was read a second time, on the motion of Mr. Alderman Anderson.

Mr. Serjeant *Adair* having obtained leave, by previous petition, presented a petition on behalf of Mr. Macklin,
of

of Fleet street; stating, that in consequence of the various engagements he has entered into for the encouragement of the arts, the large sums of money he has laid out, &c. he cannot proceed in that liberal manner which is requisite for so great an undertaking without the aid of Parliament, and praying that leave be given to bring in a bill to enable him to dispose of his paintings by way of chance, &c. Referred to a Select Committee.

The House agreed to go, on Friday next, into a Committee of the whole House, to consider of the state of the finances of India.

The bill for carrying into effect the American Treaty, was read a third time, and passed.

The report of the Waste lands general Inclosure bill, was ordered to be taken into further consideration on Tuesday next.

Deferred the Committee of Ways and Means to Monday. Adjourned.

HOUSE OF LORDS.

TUESDAY, June 27.

The various bills on the table were forwarded in their respective stages.

The order for the third reading of the surgeons bill, which stood for this day se'nnight, was, in consequence of a motion of Lord *Thurlow*, and after a short conversation between his Lordship, the Bishop of *Rochester*, Lord *Auckland*, Lord *Sydney*, and the Duke of *Bedford*, farther postponed till this day fortnight.

Several private bills were brought up from the House of Commons, and read a first time.

The Penge Inclosure bill was, on the motion of the Bishop of *Rochester*, ordered to be read a second time on Friday fortnight.

Adjourned till next day.

HOUSE OF COMMONS.

TUESDAY, June 27.

The small note bill was read a third time and passed.

Sir *W. Scott* brought in a bill to amend the act of 33d of the
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the King for encouraging seamen, which was read a second time, and ordered to be read a third time the next day.

The *Chancellor of the Exchequer* said, that the objections to the turnpike and toll-bar tax bill, were of such a nature, as to induce him to give it up. He should therefore bring forward, in a Committee of Ways and Means, on Friday, substitutes for the deficiency thus occasioned.

The *Chancellor of the Exchequer* likewise gave notice, that he intended to move the House to go into a Committee on the inland navigation bill, on Monday. Various objections had been made to this bill, but he did not think they were sufficient to induce a total rejection of the measure. Such modifications he was convinced might be made, as would remove these objections. Local objections might still remain, but he did not think they could be of a nature to induce the House to lay aside the measure.

The *Master of the Rolls* brought up a petition from certain persons against the Ship Owners Relief bill, which was ordered to lie on the table.

Mr. *Dent* moved, that an account of the produce of the tax on certificates for killing game for the year 1796, should be laid before the House; and of the dog tax, as far as the same could be made up. Ordered.

Mr. *Sergeant* gave notice, that the next day he would move, in a Committee of supply for a similar allowance for the subalterns in the artillery, as that voted to the other descriptions of troops.

A new writ was ordered for Plymouth, in the room of Sir W. Lemon Rogers deceased.

The India Judicature bill was read a first time.

An Order was ordered to be issued to the Marshal of the king's bench, to bring up Thomas Bonnor to give evidence before the Committee to which the claims of Mr. Palmer were referred.

In a Committee of supply, Mr. *Rider* moved, that his Majesty should be permitted to encrease the quantity of corn allowed to be exported for the use of the islands of Guernsey, Jersey, and Alderney, from 6000 to 10,000 quarters.—Agreed to, the report was received, and the bill brought up and read a first time.

A motion being made for re-committing the General Inclosure bill,

The *Master of the Rolls* said, the bill made no provision the

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 for enabling the guardians of minors and lunatics to defray the expence.

Sir *J. Sinclair* and Sir *W. Pulteney* contended, that the guardians of such persons were enabled to defray the expence as the enclosure was supposed to be beneficial.

Sir *W. Dolben* ascribed the dearness of provisions to the enclosure of lands, and therefore was not friendly to the bill.

It was re-committed for the next day.

The Order of the day for the House to go into a Committee of the whole House, on the bill to enable Roman Catholics to hold commissions in the supplemental militia, and provisional cavalry, being read,

Mr. *W. Smith* moved, as an instruction to the Committee, that a clause should be brought up to enable Protestant dissenters to hold commissions as above, without taking the qualification required by the test act.

Mr. *Dent* opposed the instruction, as there was not now time to go into the discussion of a question of such importance.

The House divided,

<i>Ayes</i> , (For the instruction)	—	36
<i>Noes</i> , (Against it)	—	3
<i>Majority</i>		33

The House went into the Committee, and Mr. *Smith* brought up a clause to the above effect. The House was resumed, and the report ordered to be received on Friday.

SLAVE CARRYING BILL.

The Order of the day being read for the House to go into a Committee upon the slave carrying bill, the House accordingly resolved itself into the said Committee.

Sir *W. Dolben* moved, to fill the blank in the clause for a reward to those who imported with least loss, with the word "four" instead of "five."

This introduced a desultory conversation, in which General *Tarleton* and Colonel *Gascoigne* declared, that they should oppose any alterations whatever to be made in the bill; and complained of the unfairness of the honourable Baronet in bringing it forward at so late a period.

Sir *W. Dolben* said, that it originated from this principle,
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that while the question of total abolition was undecided, they
thought it not right to bring forward this measure, and that
question had been but recently decided.

Mr *W. Smith* reprobated the trade in every part, and stated,
that Liverpool alone was contaminated by such an iniquitous
traffic, not above six persons in London being concerned.
The honourable member stated, that ships had sailed in
which they were more crowded than even in the black hole
at Calcutta. Tonnage was but an imperfect criterion, and
he should move a clause, which should go to prohibit
any vessel from sailing, not of a certain height between
decks.

Sir *W. Pulteney* thought there must be some mistake in
the statement of the honourable Gentleman, as human be-
ings could not live in the situation he described, or they must
have some method of giving fresh air.

Mr. *Rose* thought it might be better to let the bill now
pass in its present form ; but he certainly thought there was
much weight in what the honourable Gentleman had stated,
and he should be happy to render his assistance to correct the
evil.

Mr. *Smith* then said, he would wave his clause and bring
in a short bill.

The Committee went through the bill and filled up the
blanks exactly as they stood in the last bill.

Mr. *Rose* and Sir *W. Pulteney* were friendly to regulations
for the comfort of slaves on the passage, but were afraid that
meanwhile the bill would be lost.

Upon this question, whether it should be four or five, five
was carried.

Mr. *W. Smith* announced his intention to bring in a bill
to enact particular alterations.

The bill was then gone through precisely as it stood for-
merly.

The House was resumed, and the report ordered to be
received the next day.

Mr. *W. Smith* moved for leave to bring in a bill to regu-
late the height between the decks of vessels going out in the
slave trade, and that the House resolve itself into a Committee
of the whole House the next day.

Adjourned.

HOUSE

HOUSE OF LORDS.

THURSDAY, June 29.

SCOTS PEERAGE OF GLENCAIRN.

The House resolved itself into a Committee of privileges, Lord *Walsingham* in the chair.

The *Attorney General* put in some documentary evidence on the part of the crown, illustrative of certain parts of his argument against the claim of Sir Adam Ferguson to the above peerage.

Mr. *Grant*, on the part of the claimant made a few observations on some parts of the evidence, as adduced by the *Attorney General*.

The *Lord Chancellor* addressed the Committee, he said, he had not then sufficiently made up his mind on the case, nor on the evidence adduced, to be able to state the opinion of its merits decisively. He would propose, that the Committee should postpone the farther consideration of the business till Tuesday; though he was not certain that at that time he should be perfectly prepared.

The Committee was accordingly adjourned to Tuesday next. On the House resuming,

Mr. *Hobart* presented a message from the House of Commons, requesting their Lordships to permit the Earl of Chesterfield and Lord *Walsingham* to be examined before a Committee of the House of Commons, relative to the agreement made with Mr. Palmer (late comptroller general), respecting certain reforms and improvements in the post office establishment.

In consequence of this message, and pursuant to the provisions of certain standing orders of the House, the reading of which were moved by the Earl of Chesterfield, that peer and Lord *Walsingham* were ordered to attend as above,

SCOTS APPEAL,

Their Lordships heard Mr. *Dallas* as leading counsel for the respondents, at great length, in the case of *Scott, Moncrieffe, and Dale, v. Houston, Macdowall*, and others. The farther hearing was adjourned till the next day.

The various bills upon the table were forwarded in their respective stages.

Mr. *Hobart* presented the Scots spirit duty bill from the House of Commons, which was read a first time.

Two private bills were also brought up,

After which their Lordships adjourned at six o'clock till the next day.

HOUSE OF COMMONS.

THURSDAY, June 29.

Mr. *Serjeant Adair* brought up the report of the Committee to which the petition of Mr. T. Macklin of Fleet street, was referred, and the Committee having taken the opinion of several artists that it would be beneficial to the arts if Mr. Macklin were allowed to dispose of his picture gallery by lottery, they were of opinion that the prayer of the petition should be granted. He therefore moved for leave to bring in a bill, pursuant to the prayer of the petition.

Mr. *Sergent* brought up the estimates of the additional allowance to the artillery, which were ordered to lie on the table.

The bill to allow an additional quantity of wheat to be exported to Guernsey, Jersey, and Alderney was read a first time, and ordered to be read a second time the next day.

The additional duty bill on distilleries in the highlands of Scotland was read a third time and passed.

The second reading of the Norfolk assize bill was deferred till that day month.

The parcel receipt duty bill was deferred till the next day.

FORESTALLING BILL

The Order of the day for the further consideration of the report of the bill to prevent forestalling being read,

Mr. *Secretary Dundas* declined any particular objections to the clauses of the bill, because they had suffered so little alteration in the Committee, that it seemed as if the Committee despaired of making them palatable. He objected therefore solely to the general principle, which many years ago had undergone so thorough a discussion, as to require little comment now. Every man knew that the erroneous ideas which caused the old and obsolete acts of Parliament for the regulation of trade, were, by experience of their bad effects, exploded. We were now at a period in the life of society when commercial knowledge had risen to perfection, and when it was demonstrated by daily practice that more advantages

advantages were derived from unrestrained modes of barter and exchange, than from any regulation which the limited understandings of a legislature could devise. More than human wisdom was required to regulate the manifold and complicated ramifications of commercial intercourse, and after all it would be found that individual interest was the best public regulator. He remembered a story of a foreigner who expressed his surprise at the constant supply of provisions in the London markets without any legislative regulation, and the answer which was given by a very sensible man was the most apt and true that could be given: "Sir," said he, "the London markets are supplied in this regular manner, because there are no legislative regulations." It had been said, one object of the bill was to draw up supplies of cattle from great distances; in observation upon which, he wished to know whether that object would be sooner gained from regulation than from the industry and interest of graziers? Another object was, to exclude the interference of the Jobber, in regard to which he declared he knew no difference between the jobber and the drover, and he doubted whether the latter would not then contribute equally to keep up the high price of meat; for if salesmen only were employed, he did not know what proof the House possessed that they would not convert monopoly to their advantage. Upon the firm opinion, therefore, that the graziers and the farmer would dispose of their cattle as cheaply as they could, and that the bill would defeat its own object, in its present state, as well as subject the people to great risque and inconveniencies, he moved, to postpone the further consideration of it to that day three months.

Mr. *Tierney* complained that these objections had not been urged sooner, and before all the trouble of the enquiry which had taken place, because the principles laid down by the honourable Secretary laid all facts on the subject out of the question. The bill had been greatly altered in the Committee, and scarcely one clause remained as it originally stood. He did not like the mode of reasoning employed, nor did he know what pretension there was to new lights on the subject. The House had come to a resolution in 1764, that the high price of provisions was owing to the laxness of the laws against forestalling. In 1767 this resolution was contradicted by one directly opposite. In 1770 all the laws against forestalling had been repealed, twenty-five years experience intervened, and the price of meat had been found

to increase. A Committee last year had decidedly pronounced the high price of provisions to be owing to forestalling, so that the lights of the House on the subject were against the principle of reasoning assumed by the honourable Secretary. He wished to appeal to facts, notwithstanding the authority of Dr. Smith, however high he rated him. Meat was one penny or one penny halfpenny cheaper per pound sixty miles from London than here, and to what cause was it to be ascribed? The cause was, that Smithfield market was a mockery, and that no cattle were to be purchased there on account of the jobbers, by whom they were previously bought up. There were regulations upon other articles of provision, why not something similar with regard to meat? The principles urged on the other side went to throw every thing into confusion, and if things came to such a height as to occasion discontent, how would the honourable Gentleman do with Dr. Smith's book in his hand, instead of the Riot Act? He was for trying the bill, at least for a year or two. The House ought not to give an example that they were unwilling to enquire into and to remedy the distress of the poor. The price of meat was truly distressing and would make the hearts of Gentlemen ach to see the sufferings it occasioned. When meat could not be got under eight-pence a pound, he left it to the House to conceive the distress of the labourer or manufacturer to provide for his family.

The *Secretary at War* said, that he coincided with the reasonings of his honourable Friend. It was said that this question was to be decided by facts, not by abstract reasoning. But by what other means was it to be decided but by reasoning. Did not those who support the bill take certain facts, draw conclusions from them, and thence infer that the measure proposed was the remedy. It was, therefore, by reasoning that the point was to be decided. He could not but think that the opinion of Adam Smith was, to the full, as good as the opinion of the parties formed upon their own facts. This was a subject upon which the most intelligent were obliged to proceed with caution. It was said that the price of every thing had increased since the laws against forestalling were repealed, but had not every thing else, as well as meat, increased in price, and was it not imputable to the increase of money and the more general diffusion of wealth? Something more was necessary than a number of facts; it was necessary to prove that the facts warranted the conclusion. He could not admit the parties to be better judges upon this question, because connected with their own profession, than men who had better means of studying the general principles applicable to it. It was rather whimsical

in the honourable Gentleman to deny the reality of the new lights of the present age, considering some of the opinions he held. These lights, he thought, were false and fallacious in the sense that some understood them, and as applicable to general theories alone. But here the basis of the new light was experience. Men had formerly turned little of their attention to commercial subjects; now the experience of every country had shewn the bad effects of old regulations, and proved that a free trade was the most beneficial. The honourable Gentleman had appealed to humanity, but could it be supposed that every Member in the House was not well disposed to make the condition of the poor as comfortable as possible? Would not the lowering the price of meat be equally beneficial to the poor, to the rich, to every class in the community? The question was the means to be used. He thought it for the advantage of all to avoid tampering with laws on this subject, and, therefore, he was against the bill. It was really whimsical to hear it stated that the farmer was injured by the jobbers, and could not get his cattle brought to market. Any one must be led to think, that not jobbers but robbers were the persons pointed at in the bill. And what was the evil under which the farmer laboured? Why, nothing but this, that he was induced by the price offered to part with his cattle on the road, without bringing them to London! And this was the violence complained of. He was convinced that the parties bringing forward this bill meant well, but he thought any regulations on the subject pernicious. The jobber facilitated and insured the regular supply of the market. The men of capital were enabled to stand the different fluctuations of the market, which men trading with less capital, or each man trading for himself, could not do. These middle men facilitated the attainment of the great object of the public advantage. They were the intermediate wheels which in moral and physical machines communicated between the first and the last, and produced the perfection of the whole. Considering this bill, therefore, as likely to produce very dangerous consequences, to render the supply of the market insecure and irregular, he was decidedly against it.

Mr. Tierney explained.

The *Chancellor of the Exchequer* coincided in the opinions of his honourable Friends, and had only a single word to add. The question was not who wished to diminish the hardships of the poor, but the means by which the object was to be effected? In the end they were all agreed. It is because we think the Bill is calculated to produce an effect contrary to its profession, that

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we think it necessary to resist it, and he for one could not, consistently with his duty, give a silent vote. He had conversed with the persons who had suggested this measure, and was convinced of their good intentions, though he differed in opinion. He believed there were many instances in which the abuses complained of existed, and he also believed the capitalists sometimes trespassed on the profits of the fair trader; yet notwithstanding, he would rather leave the evil to correct itself, than endanger the regular supply of the market. There were three articles which people employed as stock in trade, industry, skill and capital; and he that had the most of all would trade the best to advantage. How are you to find laws to equalize these? Two of them, skill and industry cannot be equalized! There is no way left then, but to exclude capital, and that would destroy the vital principle of commerce, by taking away its security. He found in Dr. Smith, that there could be no principle of competition between the small carcase butcher and the large one, and though they might produce more competition among the small ones, by shutting out that line of competitors, who, on account of their capitals were enabled to trade to the greatest advantage, and thereby perhaps, in some few instances, produce better general effects; yet they would, at the same time, trench on competition, and deprive the Public of its best and permanent resource. Instead of attempting, therefore, to realize wild theories, it appeared better to follow the ordinary course of things, and leave trade open and unfettered; for this at least was the result of experience, dictated by practice, and attested by the fate of every country. Mere cheapness he did not consider to be so great an object as a reasonable certainty of supply, and by the present mode of barter, the markets cannot fluctuate arbitrarily and suddenly, as they might do by a legislative interference, leaving the poor to a precarious and sometimes miserable subsistence.

Mr. *Vanflitart* observed, that the evidence of the salesmen and cutting butchers was *ex parte*, and biased by their separate interests to share the profits of the jobber. He attributed the high price of meat to a scarcity of cattle.

Mr. *Basford* said, there was evidence before the House that Foresters aimed at, and succeeded in, creating a monopoly, and it was the duty of the House to defeat such attempts. These attempts, it was true, were indictable at common law, but the process was too expensive to be acted on. It was evident that the farmer was deprived of the power of sending his cattle to market, and of selling them as he thought proper; and if the present regulations for preventing this abuse were rejected,

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 rejected, some other system should be proposed by those who
 reject them.

— Si quid novisti rectius istis,
 Candidius imperti, si non, his utere mecum.

Mr. *Mainwaring* said, that he had a letter from the first farmer in the county of Somerset, approving the regulations proposed by this Bill. There were meetings held in that county, and others, all giving the sanction of their approbation to the measure; there were several Petitions on the Table in favour of it, and not one against the Bill. It was rather singular, that the House of Commons should be a better judge of the interest of the farmers, than the farmers themselves.

Mr. *Jelliffe* said, that the market could not be regularly supplied if the present regulations were adopted. More benefit would, in his opinion, arise from establishing another market in some other quarter of the town.

After which, the House divided. For the adjournment for three months,

<i>Ayes,</i>	—	—	—	39
<i>Noes,</i>	—	—	—	7
				—
			<i>Majority,</i>	32

The Bill is therefore lost.

The Report of the Slave Carrying Bill was received and agreed to.

The House went into a Committee of the whole House, to consider a resolution upon the introduction of a Bill for regulating the height between decks of African slave ships. The House was resumed and leave given to bring in a Bill for that purpose.

The consideration of the Finances of India, which stood for this day, was put off till next day.

The other orders were then deferred. Adjourned.

HOUSE OF LORDS.

FRIDAY, June 30.

The Lords proceeded to hear Counsel at considerable length in the appeal from the court of session, of *Scott, Moncrief, Dale*, and others, against *Houston* and others, when, upon motion of the Lord Chancellor, judgment was deferred till Monday next.

Several bills passed through the Committee.
 Adjourned.

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HOUSE

HOUSE OF COMMONS.

FRIDAY, June 30.

Mr. Alderman *Anderfon* presented a petition on behalf of certain persons who had been confined for debt in the King's bench prison, some of them for fifteen years and an half, and whose debts amounted to 300 l. and who, at the commencement of their imprisonment were able to pay ten shillings in the pound, others for upwards of 2000l. and who could have paid upwards of five shillings in the pound; many of them in such a situation that they must have perished long ago, but for the humanity of William Jones Esq. the marshal of the prison, praying to be included in the bill now depending for the relief of insolvent debtors, &c. Referred to a Committee on the bill.

e presented another petition from another class of prisoners from the same place, concluding with a similar prayer. Referred in the same manner.

Another from prisoners confined for debt in the gaol of Dorchester. Ordered to be laid on the table.

Mr. *Serjeant Adair* brought in the bill for enabling Mr. Macklin of Fleet street, to dispose of his collection of modern paintings, as now exhibited at his gallery by way of chance. Read a first time and ordered to be read a second time on Tuesday.

Read a second time, and ordered to be committed to a Committee of the whole House on Tuesday next, the bill for the better encouragement of the seamen, and for the more effectually manning his Majesty's navy, on the motion of Sir *W. Scott*.

The bill for enabling Roman Catholics and Protestant Dissenters to serve as officers in the new cavalry and supplemental militia, was ordered to be read a third time on Monday, it then engrossed.

Mr. *Metcalfe* presented a petition on behalf of the East India company, stating, that the bill now depending for altering the judicature of India, &c. would be injurious to them, and praying to be heard by Counsel against the bill.

The question being put, that the petition do lie on the table.

Mr. *Secretary Dundas* observed, that the objections to the bill were stated in the petition in a general way, as if they were applicable to the whole bill, whereas in truth, they were only applicable to one clause in the bill. This he knew, for he had conversed with the Counsel against the bill,

bill, and understood from that learned Gentleman that to be the case; he, therefore, could not agree that the second reading of the bill should be delayed on account of this petition, because all the objections might be heard by a Committee on the bill, or on the report.

Major *Metcalf* expressed his conviction that the Company would be satisfied with any decision which the House might think proper to make.

Mr. *Secretary Dundas* then moved the order of the day for the second reading of the bill; the bill was read a second time accordingly, and ordered to be committed to a Committee of the whole House on Tuesday next; and the petition of the East India company was referred to a Committee.

Mr. *Dent*, after some observations on the amount of the dog tax, which he stated, in the last three quarters, to be 70,000*l.* moved, that the product of the said tax, and of game certificates, be referred to the consideration of a Committee of the whole House, on Friday next. His object for this motion was to extend the product, and offer some regulations that might appear in many points of view more salutary than the present ones.

The *Chancellor of the Exchequer* observed, that the produce of the three quarters upon the dog tax, had fully answered the expectation that had been formed upon it. If the hon. member meant to recur to the ideas he had thrown out last session, and which the House then disapproved, he should certainly oppose them, as he had done before.

Mr. *Dent* said, that with regard to the game certificates, he believed there would be no occasion for him to say much; but as to the dog tax he should certainly persist in the measure which he proposed last year. He should do the same every year while he had a seat in that House.

The House then agreed to refer these points to a Committee of the whole House on Friday next.

NEW TAXES.

The *Chancellor of the Exchequer* moved the order of the day for the House to resolve itself into a Committee of Ways and Means, for raising a supply.

The House having resolved itself into a Committee,

The *Chancellor of the Exchequer* said, "Sir, as it is my duty to offer to the consideration of the Committee substitutes for the deficiencies that have taken place in the estimated produce of the late taxes, I shall take the liberty of stating respectively what these taxes are on, which any deficit has happen-

ed. It will in the first place be necessary to provide a substitute for the proposed toll duty, which as Gentlemen must recollect, was estimated at the sum of 450,000*l*. That there are many strong objections to this tax, and particularly in the manner of collecting it, I readily admit, and it has therefore been given up. There is also another tax to which so many and so strong objections as to the former, certainly do not exist, but the details of which are of so complicate a nature, that I shall not press it upon the House at this late period of the session, though I think it necessary at the same time to observe, that it is not liable to such solid objections as to induce me to abstain from taking the sense of the House upon it at some future period. Having made these observations, it is no doubt clearly understood, that I allude to the tax on parcels. I feel myself called on to notice the manner of an honourable Gentleman (Mr. Sheridan) opposite to me, who seemed to think that the tax to which I adverted was of another description, and respected the inland navigation. I therefore, Sir, feel it my duty to state, that though some alterations and modifications, which it may have been found necessary to introduce, may make the product of that tax less, yet there exists no disposition whatever on my part to relinquish it. These modifications may probably occasion a reduction in the amount, which was 120,000*l*. to about 30,000*l*. I therefore mean to make provision for that deficiency. In the tax upon newspapers, a discount has been allowed, and it has not, from various reasons, been judged proper to persist in the proposed duty on advertisements. This will also occasion a further sum to be provided for of 40,000*l*. Another tax which was approved of by the Committee, is a stamp duty upon transfers of property; and though a tax upon deeds may not be completely free from objection, yet it is in its principle undeniably fit for taxation; but as it is difficult to make a scale adequate to comprehend every case, I shall not estimate the product though fixed at 170,000*l*. at more than 90,000*l*. It therefore appears that a *deficit* remains to be provided for of 660,000*l*. as follows:

Toll Duty	-	-	£. 450,000
Inland Navigation	-	-	90,000
Newspaper Advertisements	-	-	40,000
Transfers of Property	-	-	80,000
			<hr/>
			£. 660,000

Having

Having thus stated the *deficit*, I feel no small satisfaction in being enabled to assure the Committee, that in those taxes for which credit has not been taken, there is a considerable surplus to provide for it. I particularly allude to the duty upon Scotch spirits. The House will recollect, that credit was taken for 330,000*l.* The average produce was not formerly more than 53000*l.* per annum, but according to the present rate of duty, 5*l.* has been laid upon every gallon of the contents of stills in the Low Lands, and 9*l.* in every part of the High Lands, and 6*l.* 10*s.* in another part. The average of the latter may consequently be taken at 8*l.* It is no easy matter to state a just proportion between the High Lands and the Low Lands, but it is ascertained that more than 8000 gallons were distilled in the Low lands, and 13,000 in the High Lands before the present duty. I shall therefore take the number in the former at 8000, and the latter at 10,000. I have no difficulty in asserting that the revenue will be carried to a yet greater extent, but taking it on the present scale, the total amount of this part of the revenue cannot be well estimated at less than 512,000*l.* which will of course leave a surplus of 182,000*l.* to be applied to the *deficit* which is now to be provided for.

NEW TAXES.

DUTY ON HORSES.

I come now, Sir, to the consideration of new duties, and I must observe, that one imposition will fall on those who would have been subject to the payment of the toll tax. I mean a tax on those horses already liable to pay 2*s.* and I propose a duty of 5*s.* to be laid on all horses, now subject to the payment of 2*s.* and employed in the purposes of agriculture. The product of this imposition may be stated at the sum of 150,000*l.* and here I think it necessary to observe, that I will not subject the farmers or proprietors of such horses to more than if the toll duty had taken place, and they had paid for the turnpike of a horse only 12 times during the year.

PEPPER, COALS, &c.

The next article is 5 per cent additional on those articles of the customs on which no special duty is now imposed. Sugar, wine, tea, tobacco, East India goods, and some other articles, are excepted. The product of this additional
duty

duty on the importation of pepper, I shall take at 15,000*l.* and that on the exportation of coals, at 14,000*l.*

WATCHES AND CLOCKS.

There is another article on which I shall not say much, as I find it has been already anticipated. I mean that of watches and clocks, which I conceive to be fit subjects for taxation, as they clearly are articles both of convenience and luxury. I propose therefore that 1*os.* should be paid by all persons wearing gold watches, and 2*s.* 6*d.* by those wearing silver or metal watches. The sum of five shillings I cannot imagine too much for every clock, except that kind of clock which is generally used in cottages, and which is to be particularly described. There may certainly be some difficulty in collecting this tax; but there must be a great willingness in many persons, and there cannot be a considerable unwillingness in general to pay so small a sum. It is intended that a list should be returned to the proper office, stating the number of clocks in every house. In estimating the amount of this duty, I have regulated my opinion by the number of houses in the kingdom, which certainly appears to be the fairest and most accurate standard of calculation. Taking therefore, the number of houses at 700,000, it can hardly be supposed but there is more than one watch in every family, in most instances many will be found in the same house wearing watches; but I have confined my estimate within every possible limit, and I have supposed no more than 800,000 persons throughout the kingdom, who, rated at 2*s.* 6*d.* each for silver or metal watches will give a sum of 100,000*l.* 200,000 more wearing gold watches, will at 1*os.* each also produce 100,000*l.*; and as I calculate 3 or 400,000 houses that are provided each with one clock, the amount of this part of the duty may be stated at 100,000*l.* The total product will therefore be 300,000*l.* yet I only take credit for 200,000*l.* for the purpose of avoiding any future deficiency.

RECAPITULATION.

Suplus on Scotch Spirits	-	-	£. 182,000
Horses employed in agriculture.	-	-	150,000
Pepper	-	-	150,000
Coals	-	-	14,000
Watches and Clocks	-	-	200,000

Having

Having thus stated to the Committee the principal substitutes which are to provide for the deficit of 660,000 I shall, therefore, conclude with moving the first resolution.

Mr. *Sheridan* said, it did not often happen for him to oppose taxes, nor did it often happen that taxes were retracted after they had been submitted. He regretted the want of previous consideration in those persons whose duty it was to consider the taxes they intended to propose in every shape before they proposed them, as much inconvenience and disappointment would be otherwise avoided. When the tax upon turnpikes was originally proposed, he mentioned his belief that it was both impolitic and improper, and advised the right honourable Gentleman to deliberate upon it. Now it appeared that his opinions were correct, and he sincerely wished his advice had been taken, because it was a dreadful thing at so late a period of the sessions, and at a time when the House was so very thinly attended, to abandon taxes to the amount of 660,000*l.* and be obliged to seek out substitutes. He wished the right honourable Gentleman would follow the practice of his predecessors; consider the taxes he meditated to propose first, and propose them afterwards. But instead of that, the right honourable Gentleman reversed the usual order of things, for he proposed them first, and then began to take them into his consideration. The consequence of this mode of proceeding was, that he calculated the product of his levies at an erroneous rate, or was afterwards obliged to abandon the taxes he proposed. Such it seemed had been the case with the tax upon turnpikes, and as he had no doubt but the right honourable Gentleman had persevered in his former system, he did not see what better reason he had to suppose these substitutes would be less objectionable in their nature, or as productive as they were estimated, than those which he had abandoned, or those in which there was a defalcation. He thought the right honourable Gentleman had taken up the tax on horses, employed in agriculture in particular, too hastily, and that a duty upon them was unjust. The right honourable Gentleman had said, that with the additional duty he proposed to levy, the horses employed in agriculture would not pay more than they would have paid, if the tax upon tolls and turnpikes had not been abandoned. Now he understood that the very reason why the tax on tolls and turnpikes was abandoned, was because it would press heavily on agriculture. If that were the case, he thought it a peculiar hardship upon farmers, and the other persons employed

employed in agricultural improvements, that horses kept for pomp or pleasure should be now exempted, and the whole of the burden fall on those for whom it was pretended the other tax had been abandoned. When the duty of 2s. was originally proposed upon every horse employed in agriculture, he thought it bad, and objected to the principle, inasmuch as it led the way to future levies upon articles, which, instead, of receiving any check, deserved encouragement. The right honourable Gentleman, however, then said, that the duty was so low, it scarcely could be called a check, and there was a great improbability of its encreasing. Notwithstanding that declaration, it now appeared his objection to the principle was founded upon reason, for the right honourable Gentleman had now turned the duty of 2s. to five, next year perhaps he would turn it from five to ten, and in a few years more, if he should be still obliged to impose new taxes and abandon them afterwards, he would probably encrease from ten to twenty, and finally, raise a tax upon the seeds put into the earth. Any thing which tended to discourage agriculture was, in his opinion, the worst measure that could be adopted, and this was precisely of that description. Besides, this was not a time for farmers to raise the price of their commodities by way of compensation, when they were but just recovering from the effects of unproductive crops, and other peculiar distresses. He should, therefore, oppose that resolution, and take the sense of the committee upon it.

In regard to the increased produce of the Scotch distilleries, he was not possessed of any certain information. It was possible the duty upon stills might produce more than the right honourable Gentleman had stated formerly, and it was also possible it might produce less. With regard to the five per cent. duty upon customs, it appeared to him so far objectionable, as it would injure both the sale and the revenue, upon certain articles not able to bear a general increase of duty in that way. To the tax proposed on clocks and watches he had no objection, except to the difficulty of collecting it, the uncertainty of its amount, and the encouragement it offered to a contemptible set of spies and informers. The difficulty of collecting it must be obvious to every man, for he could not see by what means the proprietor of a house would be able to ascertain the number of watches in it, since a watch was not worn in an ostentatious manner like powder, nor can a man always vouch whether his house-keeper wears a watch or no, though he might be able to notify whether

whether the commonly wore powder. Having said thus much against the taxes proposed, it might be asked, whether he could recommend any in their room? If he could not he believed there was an honourable Gentleman near him (Mr. Dent) who might possibly suggest one (*a laugh*). However he would venture to try, and in the first place he begged leave to enquire whether a tax upon parks and pleasure grounds, pineries, hot houses, green houses, ice houses and shrubberies, might not be practicable and productive? These were articles of luxury, and since it was the practice of Gentlemen of late to sell their venison, they might in some degree be able like other tradesmen, to reimburse themselves by an additional charge upon it. The next tax he should venture to suggest might in truth be called a fair and necessary regulation. This was a stamp duty upon weights and measures, but particularly on such as bottles and other measures liable to fraud. He concluded by saying, he should divide the Committee upon the resolution for imposing an additional duty upon horses employed in agriculture.

The *Chancellor of the Exchequer* observed, that the honourable Gentleman had charged him with the perversity of imposing this tax upon horses by way of modification for a tax which he had abandoned, upon those very people for whom he had abandoned that duty. Now, that was not the principle nor the exclusive motive for him to abandon the duty on turnpikes, but his motive for abandoning it was, because he found the tax on tolls would not bear equally in every part of the kingdom, nor on the different species of persons liable to pay it. He found also that there would be a difficulty in making any exceptions, and a difficulty of enforcing it without exceptions. He had, therefore, endeavoured to substitute another tax, which was likely to be more equal in its operation, and one argument which he had used to recommend it, but which unfortunately appeared to have been misunderstood, was, that those persons who were connected with agriculture, and were in the habit of passing turnpikes with their horses, would, in passing one turnpike no less than twelve times in a year, if the duty had been doubled, have paid a heavier tax than this. The other tax, therefore, on account of its inequality of pressure, was not fair. This was fair in itself, and it was only in part that it seemed to act as a substitute for the other, which would have pressed on the same people more. The duty upon customs was not levied in an indiscriminate manner, inasmuch as such articles were excepted which al-

ready contributed largely to the revenue, and the reason why the duty on Scotch spirits would amount to more than what he formerly computed, was, that a part of the duty was not then imposed. He would not sit down without returning thanks to the honourable Gentleman for his communications; but he feared the honourable Gentleman's own charge would revert upon himself, for he had proposed taxes first, and left them to be taken into consideration afterwards. The taxes he had pointed out were not of new conjecture, or peculiar to the honourable Gentleman; for in the habit as he was of receiving a multiplicity of suggestions of this nature, there were none which had been oftener submitted, and by a great variety of persons, than that on parks and pleasure grounds. He certainly had no objection to tax them, especially as they were luxuries peculiar to the rich, and proper objects of taxation; but unfortunately the honourable Gentleman had conducted himself precisely in the same manner with those other persons who had suggested the same tax, for he had not estimated the product; he had not shewn how it was to be enforced, how applied, nor how collected. For his own part, he confessed himself perfectly at a loss to know in what way it was to be carried into execution. He neither knew what number of acres to compute at, how to separate the acres cultivated for agriculture from those cultivated for pleasure, what extent of shrubbery to take, or to decide upon the length of the walk. In short, there was such an endless variety of boundary and arrangement, as created insuperable difficulties, otherwise he should be very glad to raise a tax upon them; and as the spirit of improvement appeared likely to pervade the country, there would be the cheerful prospect that the revenue would increase rather than diminish. Weights and measures were liable to the same objections. He trusted he need not then go into the detail, but it must be clear to every one, that no duty required to be more minutely examined before it passed into a law.

Mr. *Sheridan* said, the last observation did not come with very great propriety from the honourable Gentleman with whom it was so frequent a practice to propose an article of taxation, without considering how it was to be carried into effect. But he saw no impracticability in the taxes he had proposed. If there was any difficulty as to the particular article of pleasure grounds, there was none as to the others he had mentioned, and as to weights and measures, he saw no difficulty, especially as to the material article of bottles, which could so easily be brought under the tax.

Mr.

Mr. *Falliffe* said, that he hoped the tax on horses would induce farmers to use oxen, but in so far as this happened, the tax would be unproductive. He saw no objection to the tax on watches but in the mode of collection.

Mr. *Burdon* said, he thought the subject before the House of great magnitude, and that it was not taken up with sufficient seriousness. He thought it would be wise in the landed interest now to come forward and shew they were willing to take their share of the burden, and to shew their determination to support Government. The land had still kept up while other property had fallen in value. The landed gentlemen should shew that they were willing to support the struggle in which we were engaged. We ought to shew the enemy our resources as the best means of securing peace. When a report was made to the French convention that they had funds to continue the war three years, he suggested in the House, to the Chancellor of the Exchequer, the propriety of preparing for double that time, and at the same time recommending œconomy. It had often been said in the House *magnum vestigal est parsimonia*. In order to attain this object, and to shew the enemy we were prepared, he, as a person much interested in land, would venture to propose an additional land tax upon a more equal scale, in order to relieve the commercial interest, and to shew they were willing to bear the burden. By this means too he was convinced the land would sooner be able to repay itself than now, when the little taxes laid on, ultimately fell upon it, but in a circuitous and expensive way.

Mr. *Biddulph* objected to the tax on horses on the same ground with Mr. *Sheridan*, and promised to support his opposition.

Mr. *Dent* was of the same opinion with Mr. *Burdon*. He congratulated the House that his example, last year had so much effect, for here had been three taxes proposed by other gentlemen in one night. He should be happy to find that those who did suggest taxes, proposed means as productive as that he had suggested last year.

The Committee divided on the horse tax,

<i>Ayes,</i>	—	—	83
<i>Noes,</i>	—	—	8
<i>Majority</i>			85

The different resolutions were then put and carried, the House resumed, and the report ordered to be received on Monday.—Adjourned.

HOUSE OF COMMONS.

MONDAY, July 3.

Mr. *Rose*, moved for leave to bring in a bill the better to prevent counterfeiting names to letters of Attorney, transfers of stock &c. Leave was given.

The Committee on the Debtors relief bill was on the motion of Mr. Alderman Anderson put off till next day.

The Committee on the Seamen's Encouragement bill was, on the motion of Sir W. Scott, postponed till Thursday next.

Mr. *Brodie* moved for several papers, containing extracts of the correspondence between the court of Directors of the East India company, and the Government of Bengal and Madras, relative to the courts of justice in the East Indies, which were ordered to be laid upon the table.

INLAND NAVIGATION TAX.

The *Chancellor of the Exchequer* proposed that the House should now resolve itself into a Committee of the whole House on the inland navigation bill, with a view merely to making some alterations in the clauses of the bill, and not with a view to any discussion, as it was his intention to move afterwards that the bill should be printed and re-committed on Thursday or Friday, when there would be an opportunity for a full discussion of its merits.

On the motion that the Speaker do now leave the chair,

Mr. *Keene* rose to oppose the motion; it was with reluctance, he said, that he offered any objections to a measure which had for its object the improvement of the public revenue; this was an object which he, in conjunction he was convinced with every man in the House, zealously wished to promote; but the present measure he was satisfied in his own mind, would tend to injure rather than to improve the national revenue; it was unnecessary for him to state to men so enlightened as those who composed that House, that the true principle of revenue was to improve the productive powers of the country; whereas, the present bill, if carried into effect, would destroy the means of increasing those powers. The bill in order to gain a little gave up a great deal; he hoped, therefore, that the right honourable Gentleman would abandon this tax, and think of some other mode of supplying the deficiency which it would occasion. He entirely agreed in sentiment with an honourable Gentleman who spoke on a former evening, that it was the interest of every man of property rather

rather to give up a part of that property, than wholly to deprive himself of, or even to impede the means of improving it. The public spirit of the country, he had no doubt, was equal to every call which it would be necessary to make upon it, but he deprecated the imposition of a tax which in its tendency went to destroy one of the most essential means of its resource. upon these grounds he objected to the Speaker's leaving the chair.

Mr. *Dent* professed to have had ample means of acquiring information upon the subject of the present bill. Since the 4th of February last, Gentlemen had been in town from all parts of the country as delegates from the proprietors for the different canals, and he had had the honour to sit as president of this Committee of delegates. The difficulties which had occurred in the course of that examination to the tax, he was convinced were completely insuperable, at least they were so strong as to make it impossible that it could be productive. At all events, he objected strongly to so short a time as between that and Thursday or Friday next, being allowed for the consideration of the bill. As the honourable Gentleman talked of modifying some of its clauses, he warmly recommended an exception in favour of coal, lime, and every article used for the purpose of manure. But he objected altogether to the principle of the bill. It was an erroneous idea that canals were so productive as they were imagined to be. The profit arising from them was very uncertain. One year the proprietors might have 5 per cent. for their money, and the next year they might have only two. The canal with which his constituents were connected was eighty six miles in length, and at the two distant ends of it, there were coal and lime, the very circumstance which induced the proprietors to dig the canal. If a tax, therefore, was imposed upon the conveyance of these articles, it would be a breach of that Parliamentary faith, upon which they entered upon the speculation. This might be said to be a local circumstance which might operate equally as an objection against every tax. But there were strong objections to it in a general view. It appeared that there were three leading points to be attended to in every tax; first the subject, secondly the produce, and thirdly the mode of collecting the revenue. In the present case there were almost none whom the tax would not affect. It would fall as a tremendous stroke upon every species of speculation. If the country was the best judge (which he supposed would not be disputed) of the burthen which the tolls on the different canals would bear,

it would not be denied also, that the proprietors of every canal would make the rate of tonnage as high as possible; how was it to be thought that they could bear this additional burthen? He stated, as another objection, that it would destroy all competition in water carriage. It would also be partial, as it would give a decided advantage to river navigation and land carriage, and thus by multiplying the number of horses, operate as a severe oppression upon the country. There were at present about two millions of horses employed in this kingdom, each of which consumed about 3 tons of hay, and 80 bushels of oats, so that it required one third of the produce of the land to support the horses which were used. Whatever then tended to diminish the number of horses was an advantage to the country. Canals were attended with this advantage, since a horse could draw thirty times as much upon water as he could do upon land. But if canals were discouraged, as would manifestly be the case if this bill were passed, the number of horses would encrease, and consequently more of the land of the country be alienated from the support of the people. He wished much to know upon what grounds the Chancellor of the Exchequer had formed his estimate of the produce of the tax, for take it what way he would he never could bring the produce to amount to any thing like what he had estimated it at. Upon these grounds he opposed the Speaker's leaving the chair. It gave him pain to oppose any tax which had for its object the improvement of the revenue, but he was convinced that the present would have a directly contrary tendency. If the House should now go into a Committee on the bill, he hoped that more time would be given for considering it than what the honourable Gentleman mentioned, as it was highly requisite that members should have the opinion of their constituents upon it, besides that, many Gentlemen who would have opposed it, had gone out of town on the supposition that the Chancellor of the Exchequer had abandoned the tax. He was aware that it was late in the session, and he wished much that it had been brought forward earlier, but he was not of opinion that the delay had taken place in consequence of its being an obnoxious tax, though such reports were abroad.

Sir. *W. Pulteney* had no objection to the House going into a Committee to alter some of the clauses of the bill, but he wished to know when an opportunity would be given for debating the principle of it. He thought the principle a very bad one, as bad as that of the turnpike bill. He did not know which was worse.

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The *Speaker* said, that the House would have an opportunity of discussing the principle of the bill either upon the report, if they now went into a Committee, or upon the question of his leaving the chair, if it should afterwards be proposed to recommit it.

The *Chancellor of the Exchequer* wished that the House would not deny themselves this opportunity of altering the bill in a Committee. It was his wish that the report should be received on this night, that the bill should be ordered to be printed, and that the House should appoint some day not more distant than Monday for its recommitment. As they would then have an opportunity of discussing it fully, it would not be expected that he should debate it now.

Mr. *Hussey* offered some reasons against the Speaker leaving the chair. The honourable Gentleman had abandoned the tax on land carriage, and he could see no reason for his persisting in the tax on the cheaper and more commodious conveyance by water. Canals lessened the number of horses, and made provisions cheaper to the poor, and, by taxing that mode of conveyance he would produce the contrary of these effects. He thought it would be easy to find a substitute for the present tax. For twenty years past he had been of opinion that a tax upon pleasure grounds would be a good one. He recommended it to the Chancellor of the Exchequer on the present occasion.

The *Chancellor of the Exchequer* did not differ in opinion with Mr. *Hussey*, that water-carriage was a cheap and commodious mode of conveyance. But it was precisely because it was cheap and commodious that he proposed a tax upon it, not such a tax as would discourage water-carriage or the making of canals, but such a tax as, without being burthensome to any one, from being extensively diffused, would be productive to the public. He agreed also with the honourable Gentleman that a tax upon pleasure grounds would be a good one, and as the honourable Gentleman had had it in contemplation for twenty years, he would be obliged to him if he would disclose any practicable mode of apportioning it, for none as yet had ever occurred or been suggested to him.

Mr. *Hussey* suggested the plan of measurement.

Mr. *Wigley* opposed the Speaker's leaving the chair, because the principle of the bill was so bad that no modification could mend it. It would be partial in its operation, and in the inland part of the country it would tend to increase the price of all the necessaries of life to an exorbitant height. At all events

he hoped, that the re-committment of the bill would be deferred till such time as members had an opportunity of learning the sense of their constituents upon it.

Sir *W. Pulteney* asked, whether any man believed that those who were engaged in canals did not pay as high a toll already as they could afford to pay consistently with their own interest? The lower articles in point of value paid the most for carriage by way of canals. Why was the charge of carriage by canals so cheap? It was not from the kindness or generosity of those who received the toll, but because, if the charge was higher, they would not have the goods to carry. The idea that the duty was to come out of the pockets of the proprietors of the goods to be carried was erroneous. It could not come out of their pockets. It was impossible to throw this new duty on the consumer, as the Chancellor of the Exchequer said it would. Indeed, the Minister was very much misled in this business. He thought that many canals produced a prodigious profit. That was a mistake. There were very few of them that produced above five per cent. and perhaps a great many of them less. But that was not a reason why they should all be taxed as was now proposed. He thought the principle of this measure erroneous; and therefore he should oppose the motion for the Speaker's leaving the chair.

The *Chancellor of the Exchequer* said, it was his intention to make an exception in favour of such canals as did not produce five per cent. He was still of opinion that the tax would fall on the consumer.

Mr. *Parker Coke* said, he should have voted against this measure if it was not to be modified, so that those canals which did not produce five per cent. should have an exception in their favour, but as that exception was to be allowed, and as he did not object to the general principle of the measure, he should support the motion. The House divided,

<i>Ayes,</i>	—	—	45
<i>Noes,</i>	—	—	14
<i>Majority,</i>			31

The House then went into a Committee of the whole House upon the bill, went through it, the report was received immediately, and the Chancellor of the Exchequer moved, that it be taken into further consideration that day le'nnight.

Mr. *Wigley* thought that day too early to receive any answer from his constituents; many Gentlemen were in the same situation as himself with respect to time.

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The *Chancellor of the Exchequer* thought there would be great inconvenience to the public, and to the individual members of that House, from any further delay of this business.

Mr. *Dent* thought that Monday was much too near a day for the discussion of this business. It would be impossible to receive by that time any answer from many parts of the country deeply interested in the measure. This was a subject brought into the House seven months ago; innumerable letters had, to his knowledge, been written to the Minister upon it. He now had made up his mind, and would allow only a week for the whole country to be acquainted with, and express an opinion upon that determination. He must say that the proceeding was unfair and uncandid in the Chancellor of the Exchequer. It was impossible for the members of the House to do justice to their constituents in the very short time that was proposed to be allowed to them.

Mr. *Baker* observed that Monday was a day on which it was impossible for him, and he believed for many others, to attend the House, on account of the quarter sessions.

The *Chancellor of the Exchequer* said, he was extremely sorry for the personal inconvenience of any Gentleman, but the inconvenience on the other side would be much greater if any further delay were to take place.

The question was then put for the further consideration of this report that day se'nnight.

Mr. *William Pulteney* moved an amendment. Instead of this day se'nnight, Tuesday se'nnight.

The House divided.

<i>Ayes</i> , (For the amendment)	—	14
<i>Noes</i> , (For the original motion)	—	28

Majority, 14

Mr. *Hobart* brought up the report of the Committee of Ways and Means.

The resolutions being read,

Mr. *Wigley* said, that advanced as the session was, he should the next day move for a call of the House on that day se'nnight.

Sir *John Sinclair* said, that the tax upon inland navigation was a very objectionable one. He suggested to supply its place, that there might be an annual duty of one guinea on every gold watch.

The *Speaker* observed, that such a proposition could only be made in a Committee.

The resolutions were then read a second time and agreed to, and bills were ordered to be brought in upon them.

Sir *W. Dalben* brought up a bill to regulate the height between the decks of vessels employed in the conveyance of slaves from the coast of Africa. Read a first time, and ordered to be read a second time the next day.

The waste land inclosure bill, by agreement of parties, passed the Committee of the whole House, and the report was ordered to be received the next day.

The other orders of the day were deferred.

Adjourned.

HOUSE OF LORDS.

TUESDAY, *July 4.*

Lord *Kenyon* attended in the room of the Lord Chancellor and the bills on the table went through their several stages.

The Royal Assent was given by commission to the expiring laws, the American Treaty, and the Bread Affize bills; as well as to several private bills. The commissioners were the Duke of *Roxburgh*, Earl *Spencer*, and Lord *Kenyon*.

The Committee of privileges for considering the claim of Sir Adam Ferguson to the Scotch Earldom of *Glencairn*, was adjourned *sine die*. Adjourned.

HOUSE OF COMMONS.

TUESDAY *July 4.*

The Catholic officers bill and Froome canal bill were read a third time and passed.

The watch and clock duty bill, the commissioners national debt bill, additional customs duties, house duty, and horse duty bills, the bank forgery, and deeds duty bills, were read a first time.

Received the report of the Committee of supply, granting to subalterns in the militia a certain allowance in time of peace.

The bill for regulating the height between decks in slave ships, was read a second time and committed for the next day.

Mr. *W. Smith* moved for an account of the net produce of the taxes up to the 1st of July 1797, distinguishing each quarter, and the taxes imposed since 1793 inclusive. Ordered.

Mr. *Long* moved for an account of the sums awarded and paid for

for captures under the 57th article of the American treaty. Ordered.

The clock and watch, the five per cent on certain custom goods, and the additional assessed house tax bills were read a first time, and ordered to be read a second time the next day.

The bill for granting the annual 200,000*l.* for the liquidation of the national debt, was read a first time, and ordered to be read a second time the next day.

The bill for preventing the forgery of warrants of attorney in the transfer of stock, was read a first time.

CALL OF THE HOUSE.

Mr. *Wigley* said, that as he had understood from several Gentlemen, that it would be extremely inconvenient at the present season of the year, and in the advanced period of the session, to have a call of the House enforced; he would postpone making the motion of which he had given notice the preceding day, for a call of the House on Monday next.

Mr. *Abbott* moved the reading of the act of the 5th George II. for preventing fraudulent bankruptcies, which being done, he observed, that the public had for many years experienced the good effects of that law, and he would therefore move for leave to bring in a bill to make the said act perpetual. Leave given.

INSOLVENT DEBTORS BILL.

The bill for the relief of insolvent debtors was committed to a Committee of the whole House, in which a clause was introduced, that no person should be entitled to relief under the bill, except such as had been confined in execution on or before the 1st of January last, and whose debts were under the sum of 1,200*l.* The bill was ordered to be recommitteed on Thursday next.

On the second reading of Manning's small note bill,

The *Chancellor of the Exchequer* said, it was impossible for him to be silent in a case like the present, which went to alter a general law in favour of an individual, and in prejudice to others. He could not, consent therefore, to the passing of a bill of that nature. In its present shape, the note not being duly stamped, could not be produced as evidence of the debt. A question was now depending with regard to it, and it was a dangerous precedent to allow the law to be altered.

Mr. *Wigley* said, it was a very hard case that the holder of the bill should lose the sum of 2500*l.* in the note, because it was upon a higher stamp than required. There was no general law on the subject; he hoped that the House would not

refuse to allow an individual to have that stamp affixed which the law required, and which could not be considered as unjust to any party, since the law was merely to secure the revenue, and here that object was secured.

The second reading was negatived without a division.

INDIA JUDICATURE BILL.

The House in a Committee on the India judicature bill, heard Counsel on behalf of the court of Directors against that part of the bill by which judges in India, who should retire or be recalled after having been in office five years, were to be entitled to a pension for life. Counsel was also heard in favour of the bill.

Mr. *Secretary Dundas* spoke much in favour of the bill, and that clause already mentioned. It was no more than a just compensation which persons were entitled to who had given up all their pursuits and prospects in their own country, and went to settle in an unhealthy climate, that they should have a provision made for them after they were rendered incapable of exercising their office, from causes which did not exist at home.

Major *Metcalf*, on the other hand, opposed the bill with much strong argument, and stated that the judges in India enjoyed at present such immense salaries, that it would be in their power to make ample fortunes before they retired, which advantage he considered sufficient to preclude the necessity of a pension. He was then about to divide the House on the clause in question, but desisted from his intention, and the bill went through the Committee. The report was ordered to be brought up the next day.

Mr. *Secretary Dundas* moved for leave to bring in a bill to regulate the communication of states at amity with this country with the possessions of the East Indies, after which, in compliance with the forms of the House, it was moved to refer this motion to a Committee of the whole House the next day.

Proceeded in the bill for enabling Roman Catholics and Protestant Dissenters to bear commissions in the provisional cavalry.—Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, July 5.

Colonel *Gascoigne* brought up the report of the Committee on the ship owners relief bill, and moved that the report be taken into consideration on Friday next.

The

The *Master of the Rolls* considered this measure as materially affecting the shipping interest of the country, and moved that it be printed at the expence of the parties, and taken into consideration on Monday.

Colonel *Gascoigne* objected to the motion, as from the late period of the session there might be a danger of the bill being lost altogether.

Mr. *Anstruther* wished the business to lie over till next session.

Sir *W. Milner* thought that the case of Shepherd and Smith rendered dispatch necessary for the protection of the shipping interest.

Mr. *Jeffery* (of Pool), was proceeding to state the necessity of the measure, when he was informed by the Speaker that this was not the stage for discussing the merits of the bill.

Colonel *Gascoigne* consented to withdraw the motion, and the report was ordered to be taken into consideration on Monday next.

The *Master of the Rolls* moved, that the third reading of the general inclosure bill by consent should be put off till Friday, and then moved, that the bill, with the last amendments, should be printed.

Sir *John Sinclair* expressed his readiness to accede to the motion, on the conviction, that the more the subject was investigated, the more its propriety would appear.

The act of the 22d of his Majesty respecting elections, being read on the motion of Colonel Fullarton, he moved for leave to bring a bill to extend its provisions to Scotland, relative to preventing officers of the excise and customs from voting at elections for members of Parliament. Leave was given.

In a Committee of ways and means, the *Chancellor of the Exchequer* moved a resolution, that towards raising the supply, the sum of 646,250*l.* should be raised by way of lottery, the lottery to consist of 55,000 tickets, at 1*l.* 1*s.* per ticket, being a profit of 146,000*l.*

Likewise, that the sum of 3,200,000*l.* be raised by Exchequer bills. That the allowance to the subalterns in the militia for the ensuing year be paid out of the land tax. The resolutions were agreed to, and the report ordered to be received the next day.

The watch and clock bill was read a second time, and committed for Friday.

The slave ship deck bill went through a Committee, and after some conversation between Mr. *Smith*, Mr. *Dent*, and Colonel *Gascoigne*, the length was fixed at four feet one inch.

The

The bill for preventing the concealment of fraudulent bankrupts effects, was read a first time, and ordered to be read a second time the next day.

The new tax bills were read a second time, and ordered to be committed for the next day.

The House resolved itself into a Committee upon the motion of Mr. *Anstruther*, which being done,

Mr. *Anstruther* stated, that by a decision of the court of king's bench, the navigation act was held to extend to the East Indies; the consequence of which would be, that all European ships, as Danes, Swedes, &c. going there, would be liable to confiscation: as by the navigation act it was ordered, that no goods should be exported or imported into or from the dominions of his Majesty, except in British bottoms, or in the vessels of that particular place. He should therefore move for leave to bring in a bill, to put foreigners exactly in the same situation, as they would have been in before this decision took place; as before this decision took place, those foreign ships going there, were supposed to be trading to the Mogul ports. He moved that the chairman be directed to bring in a bill, to regulate the trade between foreign countries in amity with Great Britain, and our possessions in the East Indies.

Mr. Alderman *Curtis* hoped that time would be given to examine the bill, as it gave considerable alarm to the ship owners.

Mr. *Foliffe* said, he should not oppose it, but hoped that time for consideration would be given.

Mr. Alderman *Lushington* said, it was a measure of importance to the Ship-owners in this country, who thought that it materially affected their interest; but he hoped that when the bill was brought in, it would be printed, and time given for proper consideration.

Mr. *Anstruther* said, that as soon as the decision of the King's Bench got to India, all foreign ships in our ports there, would be liable to be seized; therefore dispatch was absolutely necessary, that the Act might arrive as soon as the decision, to counteract the effect of the decision.

The Scots militia bill was read a third time and passed.

Adjourned.

HOUSE OF LORDS.

THURSDAY, July 6.

Lord *Kenyon* attended again this day, as Pro-Chancellor.

The various bills before the House were forwarded in their respective stages.

The

The Scots Militia Bill and six Private Bills were brought up from the House of Commons, and read a first time.

MESSAGE FROM THE KING.

Lord *Grenville* brought down a Message from his Majesty, intimating that as the Session was now near a close, he would recommend it to the House to make such provisions as could enable his Majesty to afford some pecuniary assistance to her Most Faithful Majesty of Portugal, in case the circumstances of the case so require it.

Lord *Grenville* then moved an Address to his Majesty on the occasion of his most gracious communication, which, as usual, was an echo of the Message.

The Duke of *Norfolk* here took the opportunity to ask Lord *Grenville*, across the benches, whether a day would not be left apart for taking the Message into consideration.

Lord *Grenville* replied, that the points referred to in his Majesty's Message, would certainly come before the House in due course.

The Duke of *Norfolk* then rose, and observed, that he thought such a communication from the Throne, rather extraordinary, at the moment we were in an actual negotiation for peace with France. He also observed, that, in the event of our concluding a peace and making commercial arrangements with that country, he hoped Ministers would see it would not be for the interest of this country to give such a decided preference to the trade of Portugal, as had heretofore been manifested.

Lord *Grenville* in reply, pointed out the impropriety of discussing, at present, the points alluded to by the noble Duke. With respect to his latter position, he would only say, that it would obviously, in a great degree, depend upon the observance of existing treaties.

ROMAN CATHOLICS, &c.

The Duke of *Norfolk* rose, to move "That the second reading of the bill to permit Roman Catholics and Protestant Dissenters to serve in the Supplementary Militia, be postponed till Monday next." He wished this might be done, because he conceived that a reverend prelate, not then in his place, wished to observe upon the measure; and he also wished it might be deferred till then, as he intended to move for the introduction of a clause into the bill, enforcing the persons in question to enter also into the regular militia.

Lord *Grenville* expressed his wish, if the noble Duke had no objection,

objection, that the second reading might be deferred till Tuesday.

This arrangement was agreed upon. and the bill was ordered to be read a second time, on Tuesday next.

The Bishop of *Bristol* moved that their Lordships be summoned for that day, which was ordered accordingly.

Adjourned till the next day.

HOUSE OF COMMONS.

THURSDAY, *July 6.*

The *Chancellor of the Exchequer* brought down a Message from the King, which was read as follows:

GEORGE R.

As the state of public business may soon enable his Majesty to put an end to the present session, his Majesty thinks it proper to recommend it to the House of Commons, to consider of making provision to enable his Majesty to defray such extraordinary expenses, and to take such measures as the exigency of affairs may require, and in particular to afford some pecuniary assistance, if the circumstances should appear to his Majesty to require it, to his Ally the Queen of Portugal, for the defence of her dominions against any attack from the common enemy.

G. R.

The *Chancellor of the Exchequer* moved, that his Majesty's Message be taken into consideration in a Committee of Supply the next day. Ordered.

The *Chancellor of the Exchequer* gave notice, that in the Committee of Ways and Means the next day, he would move for a new tax to supply the deficiency occasioned by the Inland Navigation tax, which he meant to abandon for this year. The objections, however, though they were so strong as to induce him to abandon it for the present session, did not appear to him insuperable, inasmuch that if it was found necessary to impose further taxes in another year, he was of opinion, that this would be a fair source of revenue.

The Seaman's Encouragement Bill passed through a Committee of the whole House.

Mr. *Secretary Dundas* moved, That there be laid before the House a copy of the minutes of Lord Hobart, dated October and November, 1795, relative to the state of the Carnatic. Ordered.

The Report of the Committee of Supply was brought up; the Resolutions were agreed to, and bills were ordered to be brought in upon them.

INDIA

INDIA JUDICATURE BILL.

Mr. *Broderick* reported from the Committee on the state of the East India Judicature, and the Report being read,

Major *Metcalf* objected to the resolution relative to the Salary and Pensions of the Judges. The stated Salary of the Chief Justice was now 8000*l.* a year, but in fact, he received to the annual amount of 9064*l.* which was more than double the salary of the Chief Justice of the Common Pleas. Parliament, in providing this ample salary, had very wisely had consideration both of the respectability which he ought to maintain while abroad, and to his future maintenance after he retired. If a Chief Justice spent 60,000*l.* Rupees while in India, or 6000*l.* he would be enabled to lay by out of his salary annually 30,000 Rupees, or 3000*l.* which in the course of twelve years, reckoning compound interest, would amount to the sum of 81,000*l.* As the salary, therefore, was so ample already, he objected to its being increased, and should oppose the present resolution.

Mr. Secretary *Dundas* said, that the honourable Gentleman had made a calculation without attending to the circumstances of his case. He had made no allowance for the support of that part of his family which might require a separate establishment, or for the education of his children, which might remain behind; on the contrary, he supposed that a person appointed to the office of Chief Justice was to carry all his family along with him to India, which did not happen in one out of ten cases. And when the honourable Gentleman got him to India, he supposed that he was to live to the age of Methusalem, with the economy of a Jew, and in the profession of an usurer, laying out every penny that he could spare at compound interest. His own opinion was, that it was highly becoming the Legislature to put the Chief Justice of India on something like a proportional footing with those around him. The Governor General had a salary of 25,000*l.* a Puisse Judge had 6,000*l.* and a Counsellor had 10,000*l.* a year, and he saw no reason why the Chief Justice ought not to be approximated in point of income to those about him. He was the more surprised to hear any objection against such a step upon the present occasion from those who were so anxious to provide liberally for those in the military department. Here it was a thing invariably understood, that when a judge retired from his situation, some provision should be made for him by the Public; and why ought not an India Judge to have a similar provision after retiring from the duty of an useful and laborious life, the more so, as the expence

would not fall upon the Public, but was to be defrayed by retrenchments on other parts of the Judicial Establishment.

Major *Mitcalfe* explained,

And the House divided on the Resolution,

<i>Ayes</i>	—	—	—	—	33
<i>Noes</i>	—	—	—	—	3

Majority, 30

Mr. Secretary *Dundas* then brought in the Bill for the better Administration of Justice in India, and to prevent the British subjects in India from lending money to any of the native Princes without the consent of the Directors, which was read a first time, and ordered to be printed, and read a second time the next day.

Mr. Secretary *Dundas* then brought in the Bill for regulating the trade carried on in the British Possessions in India, by nations in amity with his Majesty, which was also read a first time, and ordered to be printed, and read a second time the next day.

The *Solicitor General* moved for leave to bring in a Bill to regulate the copper coin of these kingdoms. Ordered.

The Committee on India Accounts was deferred till Monday.

Mr. *Rose* moved for leave to bring in a Bill to regulate the Stamp Duties upon Bills of Exchange, Notes, Deeds, &c. by enabling the Commissioners of Stamps to fix a smaller stamp upon Deeds, &c. on payment of the duty. Ordered. Adjourned.

HOUSE OF LORDS.

FRIDAY *July 7.*

Lord *Kenyon* attended for the Chancellor, and having gone through the bills on the table, adjourned to Monday.

HOUSE OF COMMONS.

FRIDAY, *July 7.*

The bill for prohibiting Excise and Custom-house officers from voting at elections was read a first time, and ordered to be read a second time on Monday.

INSOLVENT DEBTORS.

The House went into a Committee on the insolvent debtors bill.

Two clauses were brought up; one that existing debts should

should be proved in the same manner as against a bankrupt under a commission of bankruptcy; and another that all charter bonds, &c. belonging to the bankrupt, should be put under assignees for behalf of the creditors.

A petition from Nottingham against the ship owners' relief bill, was ordered to lie on the table.

The bill for preventing the counterfeiting of the coin of the realm was read a first time, and ordered to be read a second time on Monday.

The subalterns in the militia allowance bill was read a second time.

VOTE OF CREDIT.

The House resolved itself into a Committee of supply, Mr. Hobart in the chair, and his Majesty's message was referred to the said Committee.

The message being read,

The *Chancellor of the Exchequer* said, in consideration of his Majesty's gracious communication, he thought proper to recommend to the Committee to make such a provision as might enable his Majesty to defray such extraordinary expence, and to take such measures as the exigency of affairs might require. The sum which he intended to propose, and the manner in which he wished to have it granted was not only such as was usual at the close of a session, but as he trusted also, wholly unobjectionable, for it was a vote of credit of 500,000*l*. There were always unforeseen exigencies in a time of war, the expence of which it was impossible to estimate, and consequently impossible to provide for. For such exigencies it had been a constant practice to supply his Majesty towards the close of a session, when he would be unable to resort immediately to Parliament to defray them, with a vote of credit. In addition to such exigencies as might occur, he thought it moreover his duty to state, that some advances to his Majesty's ally the queen of Portugal might be necessary. He did not know to what extent, nor in what manner this assistance might be given, but he conceived the sum of 200,000*l* would be an ample provision, and when Gentlemen recollected of what service her soldiers had been in the prosecution of the war, of what importance her ports were, and how unshaken her fidelity had been, he trusted there would be no difficulty in granting such a sum for her assistance, whatever the events of the pending negotiation might be, for the remainder of the year. This money,

however, he included in the vote of credit, as well as some other charges not yet certified for the prince of Condé's army. He had it in contemplation also, to include some account which would arise from disbanding some of the corps in the West Indies, in order to prevent them from becoming a permanent charge upon the country. It was impossible for him to form a regular estimate of the expence attending such a measure, for a valuable and respectable corps could not be disbanded without some compensation; but be it what it would, he thought it might be included in the vote of credit of 500,000*l.* As this part of the subject had been discussed upon a former day, he declined taking up the time and attention of the House with any useless matter, and therefore moved that a sum of 500,000*l.* be granted to his Majesty as a vote of credit to enable him to defray such extraordinary expence, and to take such measures as the exigency of affairs may require, and in particular to afford some pecuniary assistance, if the circumstance should appear to his Majesty to require it, to his ally, the queen of Portugal, for the defence of her dominions against any attack from the common enemy.

The resolution was then agreed to, *nem. con.* the House was resumed, and the report ordered to be received on Monday.

NEW TAXES.

The House resolved itself into a Committee of ways and means, Mr. *Hobart* in the chair.

The *Chancellor of the Exchequer* reminded the Committee that he stated it the preceding day to be his intention rather to submit some substitutes for the tax on inland navigation, than adhere to his original intention of levying that tax against so many general opinions at so late a period of the session. But though he did not mean to persevere in the levy of that tax during the present session, he earnestly desired to have it understood that he by no means felt satisfied with the general objections to it, but, on the contrary, he was more firmly persuaded that, if ever the public necessities and other circumstances should require its adoption, it would be a very fair and important source of revenue, though it might be expedient perhaps to vary it from the particular plan which he had at first submitted. He trusted, however, that as the measure was abandoned now, at least for the present session, he need not enter into any particular description of the original

original plan, nor describe what variations it might be politic and prudent to adopt. But he felt that he should not have the conscious satisfaction of having discharged his duty, if he had not apprized the country that it might hereafter furnish a very ample contribution towards the general exigencies of the state. He reminded the Committee, that he formerly computed the product of a tax upon inland navigation at 90,000*l.* and, consequently, if he abandoned that measure, that was the deficient sum for which it was his duty to provide. In doing so, he said, he should endeavour to propose taxes which, he trusted, could not reasonably be objected to, as they were simple in their nature, and the details of their regulations already provided for by former taxes.

The first tax which he meant to offer was a moderate addition on male servants. It was not his intention to increase the duty already paid by those persons who kept only one man servant, because there were a class of people rising only in regular gradation above the poor, and already subjected to a full proportion of their contributions. The first stage he should begin with, therefore, was with that class of people who kept two male servants, for which he should propose a duty of 10*s.* which added to the duties already levied, of 1*l.* 5*s.* would make the whole a sum of 1*l.* 15*s.*; for three male servants, and not exceeding four, he should recommend a duty of 15*s.* each, and for five and upwards, 1*l.* each, and subject to an addition of 20 per cent. The Committee would perceive that the whole of this tax attached to those who, by rank and fortune, were able to defray it, and that the poor and subordinate stations of life were, as they ought to be, exempted. The produce of this duty, including the 20 per cent. upon it, additional duty on assessed taxes, which would chiefly fall on those who kept more than eight servants, he calculated to amount to 34,000*l.*

To the next tax he trusted there could be no objection either, especially as horses employed in agriculture had lately been charged with an additional duty of 3*s.* What he intended to propose was, a moderate addition upon horses kept for pleasure. In like manner as the former tax, he did not mean this to attach to those persons who kept only one horse, because there were various causes which might oblige them to do so, and because he conceived, from many considerations, that there were persons entitled to indulgence. He proposed, therefore, to fasten the tax only upon those persons who kept more than one horse for pleasure, and charging for every horse
so

so kept, an additional duty of five shillings, which, with the twenty per cent. additional duty on assessed taxes, he calculated would produce 24,000*l.* making with the duty on Male Servants, a revenue receipt of nearly 60,000*l.*

There would now remain the sum of 30,000*l.* to commute the difference of the tax on Inland Navigation, but fortunately this was already provided for, though not stated upon a former day to the Committee by the duty upon Horses employed in agriculture. When we reckoned the produce of that duty, he did not include the twenty per cent. additional duty which would attach upon that as upon all other duties or assessed taxes, and which would yield a further sum of 30,000*l.* making up the whole of the deficiency of 90,000*l.* created by abandoning the tax on Inland Navigation. Having proceeded thus far, he trusted Gentlemen would admit the taxes he had proposed to be as simple in their nature, and as unobjectionable as it was well possible to devise. The details of regulations were all provided for by former taxes, the amount of their produce was consequently very easily computed, the poor were exempted from any additional burthens, and the additional burthens which were imposed fell upon that class of the community which was the most able to bear them. He concluded therefore by moving his first resolution, which, with the other, was read and agreed to without any opposition, and the report ordered to be brought up on Monday.

The General Incofure Bill was read a third time and passed.

ILLEGAL OATHS.

The *Attorney General*, in consequence of the notice he had given the preceding day, rose to move for leave to bring in a bill to prevent the administration of unlawful oaths. From the notoriety of recent events, which deluded a great body of the forces of his Majesty from their duty and allegiance, and endangered the safety and tranquillity of his kingdoms, the instances of administering illegal oaths were of late so frequent, as to require no particular explanation. He doubted whether the greater part of the community knew the criminal nature of such proceedings, and therefore he thought it a wise and honourable act of the Legislature to point out the law of the country, and warn the ignorant of the consequence of breaking it. There was a law already in force, which provided a punishment for such people as are found guilty of making use of an illegal oath, to convert it to the worst of purposes, and prevent the possibility of bringing evidence against a man guilty of the most dangerous acts.

acts. To explain the penalties of that Act was the object of his bill, which he considered would be a wise provision in regard to the public, and a humane one in regard to the offending parties. After this it was his intention to bring in a bill, if leave should be given, to encrease the punishment, in future, for by too great a tenderness of measures, the security of the country was exposed, and it was obvious from some late proceedings, that when a set of men were returning to the duty which they owed themselves, their posterity and their country, they found themselves embarrassed by the oaths they had unjustly taken.

Mr. *Hussey* wished to know how at present the offence was punishable?

The *Attorney General* said in explanation, that if any persons combined for illegal measures, and administered unlawful oaths for the abetting of such purposes, or to prevent the influence of evidence against them, they were guilty by the law; as it now stood, of a high misdemeanor.

Mr. *Nicholl* said, if there were any general doubt of the existence or efficiency of the law as it now stood, the bill might be necessary; but as he knew of no such doubt, he could not see the least occasion for it.

The *Chancellor of the Exchequer* stated, that one point of the bill proposed was to apprise mankind of the danger of the offence, and another to prevent, by heavier penalties, the commission of those crimes for which the law was not sufficient at present. He should think his honourable and learned friend stopped short of his duty, if he did not afterwards endeavour to encrease the punishment, and abridge the trial, since the trial of misdemeanor was attended with embarrassment and delay, and the crime intended to subvert every civil, religious, and military establishment. He hoped, therefore, that the session would not terminate, after the fatal examples they had beheld of the spreading mischief and increasing danger, without applying a remedy.

Leave was given, and a bill was soon after brought in by the Solicitor General, and read a first time, and ordered to be read a second time on Monday.

Mr. *Rose* presented the estimates of the proposed allowances to the Volunteer Cavalry, which were ordered to be referred to the Committee of Supply.

The Bill for raising a Stamp Duty on Deeds, was read a second time, and ordered to be committed.

The Order of the Day being read for taking into the consideration of a Committee of the whole House the accounts respecting

546 WOODFALL'S PARLIAMENTARY REPORTS. [Commons,
pecting the produce of the Dog Tax, and of the Game
Certificates,

Mr. *Dent*, after some observations, moved the discharge of
the order, and that it stand over to that day month. Agreed to.

Mr. *Dent* then gave notice, that he should next session move
for the appointment of Commissioners to farm the Dog Tax,
and that of Game Certificates.

Adjourned till Monday.

HOUSE OF LORDS.

MONDAY, *July 10.*

The Slave Carrying Bill was read a third time, and passed.

The Guernsey Importation Trade Bill was reported.

The Scotch Militia Bill was read a second time and com-
mitted for the next day.

Several other bills were forwarded in their respective stages.

Lord Kenyon sat as Speaker, in the room of the Lord Chan-
cellor. Adjourned till the next day.

HOUSE OF COMMONS.

MONDAY, *July 10,*

The East India Trade Bill was read a second time.

The Madras and Bombay Judicature Bill was read a second
time.

The Bengal Judicature Bill was read a third time and passed.

The Resolutions of the Committee of Ways and Means
were reported, and bills ordered on the same.

The Resolution of the Committee of Supply, for granting
his Majesty 200,000*l.* to assist the Queen of Portugal, was read,
and agreed to.

The House resolved itself into a Committee of Supply, Mr.
Hobart in the Chair, and the estimates presented by Mr. Rose
on Friday, of proposed allowances to the Volunteer Cavalry,
was referred to the said Committee.

The *Chancellor of the Exchequer* stated, that whatever might
be the event of the pending negotiation, he thought the coun-
try ought not to part with so essential a corps as the Yeomanry
Cavalry, at least not till a considerable time after the restoration
of Peace, and next session, therefore, it was his intention to
submit some systematic arrangements to the consideration of
Parliament, in order to render it a permanent national defence,
like the Militia. According to his present idea of the matter,
however, the whole body in a time of peace would not be
called

called out above once in four years, which would consequently subject the country to a very small and inconsiderable expence; while it would provide a very important, honourable, and constitutional defence against any sudden internal or external danger. Upon the estimates he had made, he did not think it necessary to provide more than three pounds per man, which, computing the number of men at 10,000, would amount only to 30,000*l*. He hoped, however, that instead of these loyal and useful body of men remaining at that number, they would next year be encreased, and he had every reason to expect that would be the case from the general spirit of patriotism and bravery which pervaded the kingdom. Nor would any man have reason to complain either of the mode or the expence of protecting the country by such corps, since the mode was recognized in that highly and deservedly commended precedent the Militia, and the expence must eventually prove itself to be constructed on the soundest principle of public œconomy, as well as public safety. If he were asked from what fund he meant to provide the payment of this establishment, he should reply, that he had not yet decided upon that point, nor should he presume to deliver any final opinion without consulting Parliament; but according to his present idea, the most eligible mode appeared to be that of paying each division out of the land-tax of their respective counties, in the same manner as the Militia are now paid. Having said thus much concerning what might be the effect of his intentions in future, he now came to the consideration of the provision necessary for the maintenance of this corps to the close of the year, and as he computed the number at 10,000 men, all liable to be called out on any emergency, and nearly in a state of actual service, he should allow the average sum, and propose that a sum not exceeding 30,000*l*. be granted to his Majesty for the clothing and accoutrements of the Volunteer Cavalry to the end of the present year.

General *Tarleton* and Mr. *Jolliffe* made a few remarks on it; as did Mr. *Burdon*, who expressed his hearty satisfaction at the measure, and said, it was an undoubted pledge of the constitutional and pure intention of the Minister, since it was putting arms into the hands of the natural defenders of the realm and constitution.

The *Chancellor of the Exchequer* said, he would not, even at this stage, suffer the measure to be followed by the shadow of misapprehension. It was not only a defence against foreign enemies, but against the factious disturbers of our peace at home. They would be composed of substantial house-keepers, and, as such, were unobjectionable. The Resolution then passed.

In a Committee of ways and means,

The *Chancellor of the Exchequer* moved, that to make good the supply granted to his Majesty the sum of two millions be granted to his Majesty out of the consolidated fund. Resolved.

INSOLVENT DEBTORS' BILL.

The report of the Insolvent debtors' bill was brought up and read.

The *Attorney General* proposed a clause for extending the benefit of the act to those who have been in prison since the 12th of February, 1794, and who did not take the benefit of the former act, provided their debt did not exceed the amount of 3000l.

Mr. *Serjeant Adair* objected to the provision, because he apprehended many unfortunate debtors would be deprived of the benefit by the limitation. He therefore moved, to make it more general, by omitting the whole of the provision.

Mr. Alderman *Anderson* seconded the motion, and the limitation was omitted.

Mr. *Serjeant Adair* then reminded the House of the melancholy situation of the six unfortunate Quakers, who had been confined for many years in York gaol, by George Markham, Vicar of Charlton, in the West riding of Yorkshire, for the non-payment of tythes; and proposed a clause to release them, and exonerate persons who refuse to pay tythes in cases of conscience from a similar confinement in future, by substituting an imperative and compulsory assignment of Parliament to a voluntary assignment of individuals, so as instead of availing themselves of the option to seize the person or effects of the defaulter, to oblige the defaulters to deliver in an account of their goods, chattels, and estates, in order to distrain upon the former for the payment of the debt, and where the goods and chattels are not sufficient, to claim and to recover on the real estates.

The clause was brought up and incorporated with the bill, and the bill was ordered to be engrossed and read a third time, the next day.

The bill for regulating the heights between decks of ships employed in the African slave trade, was read a third time and passed.

Mr. *W. Smith* gave notice, that next session of Parliament he will move for leave to bring in a bill for extending the height, and making sundry other regulations.

The bill for the more effectually preventing the administering

ing of unlawful oaths, was read a second time and ordered to be committed to a committee of the whole House the next day.

As was also a bill for the better preventing the counterfeit-ing copper and other coin, &c.

The lottery bill went also through the same stage, and the same order was made upon it.

As did likewise the bill for granting an additional duty on deeds.

The other orders of the day were then read upon the motion of the *Chancellor of the Exchequer*.

The report of the Committee on the inland navigation duty bill was ordered to be taken into further consideration on that day three months, upon the motion of the *Chancellor of the Exchequer*.

The further consideration of the report of the ship owners' bill was deferred until all the other orders of the day were disposed of.

The Committee on East India finances was deferred to Thursday next.

The bill for imposing a duty upon customs, &c. was deferred to Wednesday.

The bill to prevent officers of excise and customs voting at elections in Scotland, was read a third time and passed.

The bill for making allowance to subaltern officers of the militia in time of peace, was read a second time and was ordered to be committed to a Committee of the whole House, the next day.

Agreed to go into a Committee of the whole House the next day on the clock and watches duty bill.

The seamens' encouragement bill was read a third time and passed.

On reading the order of the day on the bill for appropriating 200,000l. annually for the reduction of the national debt,

Mr. *Carew* said, he should not oppose this bill at present, although he doubted its policy under the present circumstances of the country. He gave notice that he should oppose such a measure as this, if offered in any other session.

The houses new duty bill was read a third time and passed.

The bill for preventing the forging powers of attorney to receive dividends, &c. went into a Committee, and was ordered to be taken into further consideration the next day.

The horse additional duty bill passed a Committee, and the report was ordered to be received the next day.

The

The report of the Committee on the ship owners bill was brought up, when Mr. Anstruther and Mr. Brogden presented petitions decidedly against it, from certain merchants and traders of Manchester, London, Westminster, Southwark, Bury, Bolton, and Haytesbury, in Wiltshire.

Another petition from Knaresborough, in Yorkshire, requested that the bill might not proceed till the merits of it were more generally understood.

Mr. *Jeffery* (of Pool) said, notwithstanding the number of petitions against the bill, it would operate to the interest of the merchants, because if it did not quickly pass, there would be no ship owners to convey their goods. Till the action of Smith against Sheppard, the ship owners never understood they were responsible for all the accidents to which their freight was liable; but now, if the vessel struck upon the bar in going out of the harbour, and her cargo thereby received any damage; if the pilot was erroneous in his reckoning, or the ship-carpenter careless in his duty, if the hold was infested by rats, or the ship struck upon a rock not laid down in the charts, the merchant would immediately recover for his losses by a suit at law. Accidents by land carriage might commonly be prevented, but ships were liable to accidents which no human wisdom could foresee, nor any prudence hinder. Upon these grounds he supported the further consideration of the bill.

The *Master of the Rolls* was against it, but admitted the propriety of hearing Counsel previous to any further proceeding.

Mr. Alderman *Curtis* opposed the hearing of Counsel, because the subject had been freely discussed above stairs in the Committee.

Mr. *Anstruther* contended, that the House was bound in duty to proceed deliberately, and to examine the subject with the utmost caution. He wished therefore to hear Counsel at the bar, because if ever there was a case, in which every argument on both sides required examination, this was one.

The *Attorney General* thought that this bill in its retrospective effect would be a very high act of civil injustice, and that the House should never do, either with hearing Counsel or without it. He was decidedly in favour of the motion.

The *Chancellor of the Exchequer* did not wish to enter into the merits of the bill generally, but he wished to hear Counsel in order to have, if possible, three points settled. What was the point in dispute between the merchants and the owners of ships? What was the point which the court of law determined, which gave birth to this application to Parliament? and what

what it was which was meant to be enacted by the present bill, or what would be its legal effect if carried into law?

Mr. Alderman *Lushington* wished his honourable friend to withdraw his opposition to the motion for hearing Counsel; and expressed his confidence that the policy of the bill would be agreeable to the good sense of the House.

Mr. *Brogden* spoke decidedly against the bill.

Mr. *W. Bird* advised the House to postpone the further consideration of it to another session, in order to enable the public to form a better judgment on it.

Mr. *Ellison* spoke against the bill, and

Mr. *Serjeant Adair* urged expedition.

Counsel was then called in, and heard for a considerable time against the bill. The House also heard evidence against the bill. After which it was moved, that the further consideration of the report on the bill be deferred till the next day.

The *Chancellor of the Exchequer* observed that for a business of such magnitude and importance, as he conceived the present bill to be, the time between that and the following day would be too short for Gentlemen to consider the arguments which had been advanced against it by the learned Counsel. He wished, therefore, that it might stand for Wednesday; and even then he did not know whether his mind would be made up on the subject.

Mr. *Jeffery* said, the only objection he had against the bill being put off longer than the following day, was the apprehension that, in the present advanced period of the session, it might not be possible for it to pass into a law. The report was then ordered to be taken into further consideration on Wednesday.—Adjourned.

HOUSE OF LORDS.

TUESDAY, July 11.

As soon as prayers were over, Dr. Mofs, (Bishop of Bath and Wells), came to the table to be sworn, and Mr. Cowper was reading the customary oaths, when

The Duke of *Norfolk* rose and remarked, that it was contrary to a standing order to swear in any peer to take his seat after four o'clock.

The *Lord Chancellor* left the woollack to state that the standing order certainly was, as the noble Duke had stated, and that it followed of consequence that the right reverend Prelate could not be then sworn.

Lord

Lord *Viscount Sydney* said, he had often lamented, that the practice of noble Lords coming down, at so late an hour, as was usually the case, had obtained. It was, his Lordship said, a practice that could tend to the convenience of no person, but to the inconvenience of every one, and to the great delay and hindrance of public business. The present impediment to the right reverend Prelate's qualifying himself to take his seat was one of the many awkward circumstances that had arisen from the idle custom that he complained of.

The Bishop of *Bath and Wells* was about to address himself to the House, when Lord *Kenyon* reminded him, that: not having taken the oaths, he was not entitled to speak.

The Duke of *Norfolk* said, he had thought it right to notice the disorderly circumstance in question, but if the House felt no objection to swearing the right reverend Prelate, he should not object to it.

The Lord *Chancellor* said, that notice having been taken of the irregularity, the right reverend Prelate could not then be sworn in.

SCOTS MILITIA BILL.

The House having resolved itself into a Committee on this bill, proceeded to discuss the clauses, and when they came to the following,

“ Provided always and be it further enacted, That neither
“ the whole or any part of the militia directed by this act to
“ be raised and maintained, shall on any account be carried, or
“ ordered to go out of that part of Great Britain called Scot-
“ land.”

The Duke of *Norfolk* rose and called the attention of the House to that proviso, and observed the subject of the bill was of a very serious and important nature; it deserved, therefore, their full consideration. It was expressly enacted in the act for embodying the English militia, that they might be sent into Scotland or any part of Great Britain, as circumstances might render expedient or necessary. He saw no reason, therefore, if there was to be a militia in Scotland, why they should not be put upon the same footing with the militia of England, and the present act be rendered in this respect consonant to the existing militia laws of the kingdom, and with that view he rose to move that the proviso be omitted.

Lord *Hay* (Earl of Kinnoul) said, his own opinion had been, that not a militia but a different sort of force was the most fit for the defence of Scotland, but he well knew that the present bill had been framed upon the best motives and after the fullest

fullest and maturest consideration. He gave those who had framed it the utmost credit for the diligence, and care, and the ability that they had manifested on the occasion, and as it was to be considered as a bill of experiment, he was willing to give it his most cordial support. The bill, it was well known, had undergone an ample and a minute discussion in the other House of Parliament, and therefore was not to be considered as a hasty and inconsiderate measure. Being a bill of experiment coming before their Lordships under circumstances equally critical and unprecedented, he should rather think it ought to be fairly tried, in the shape in which it stood at present, and if the alteration proposed by the noble Duke should, upon experience be found expedient, it might be adopted at a future opportunity. He must, therefore, give his negative to the noble Duke's motion.

Lord Grenville said, he perfectly agreed with the noble Duke that the measure was of great and serious importance, and he sincerely thanked his Grace for giving him an opportunity of expressing the very great satisfaction he felt on having lived to see and to discuss a bill, the object of which was to provide a militia for Scotland. A measure as wise, as patriotic, and as useful, he verily believed, as ever had been adopted. At the same time they all knew the prejudices that had prevailed in this country against a Militia, when that truly constitutional force had been originally proposed, and while it was in the infancy of its institution. It was not at all improbable, therefore, that some degree of similar prejudice might prevail against the institution of a Militia in Scotland, it required, consequently, no small degree of prudence and caution to guard against such possible prejudices. The bill, as to its object, as the noble Lord (Lord Hay) had stated, was a measure of experiment, and for a variety of local and other obvious reasons, it was highly necessary to mark it in many respects, as differing from the English Militia Laws. At present, therefore, he thought it more safe and expedient to pass the bill as it stood, than to clog the measure at its outset with difficulties, that might rather tend to increase popular prejudice against it in Scotland, than to allay it, and to lead the minds of men in that country to receive with welcome and cordiality an institution that England had found in practice to be so eminently beneficial.

The motion was negatived, and the clause agreed to.

BILL FOR SHORTENING THE NOTICE ON CONVENING
PARLIAMENT.

Lord Grenville said, before the House proceeded to the Order of the Day, he was led to call their Lordships attention to a matter of very considerable importance; he held in his hand a bill, which he should have the honour to offer, the object of which was to shorten the period of notice, which, as the constitution at present stood, the Crown was obliged to give previous to the meeting of Parliament, whenever its being convened was deemed necessary, however great and urgent the necessity of its being assembled might be. Their Lordships all knew that as the law now stood, the Crown could not call Parliament together without giving forty days notice. It was not at all necessary for him to detain their Lordships by enquiring into the reasons, upon which that act and its provisions were grounded; it was sufficient for him to remind the House, that the circumstances of the moment, the different state and situation of the country, from its state and situation when that statute passed, evidently pointed out the expediency of shortening the period of notice previous to the assembling of the legislature. If we were a free people, if the subjects of the British Crown lived under a regular and well ordered system of government, it must be acknowledged that those invaluable blessings were to be ascribed solely to the wisdom and firmness of Parliament. In like manner, if we wished to continue a free people, if danger was to be apprehended, if the times were critical and difficult, and alarms were felt, whether justly or not, for the preservation of that liberty, and that prosperity which the country had so long and so enviably enjoyed, the country could only look with confidence for protection, safety, and security in the wisdom and firmness of Parliament. It became, therefore, highly necessary to enable his Majesty to call forth that wisdom and that firmness sooner than he could as the constitution stood at present. Instead of the Crown's being obliged to give forty days notice previous to the meeting of Parliament, when occasion required that his Majesty should call them together, the principal object of the bill was to empower the Crown to convene them on fourteen days notice. He need, he thought, say nothing in defence of this alteration of the law, as it rather went to amend the constitution and add to the popular weight in its scale, than violate the one in a reprehensible degree, or diminish the other. It must always be with Englishmen very desirable

desirable to facilitate the recourse to Parliament, and to take the advantage of its wisdom and firmness. The bill had been some time since put into his hands by a noble Lord, who had on all occasions manifested so steady, so active, and so laudable an attention to his public duty, that if he was not present, his absence was solely to be ascribed to his being engaged elsewhere in discharge of another duty, equally useful to his country, as a Colonel of one of the Militia Regiments. It was necessary for him to state, his Lordship said, that the bill embraced another important object besides that which he had stated. Their Lordships would recollect that by an Act of Queen Anne, the last Parliament, on the demise of the Crown, shall be empowered to sit for six months, or till a new one can be convened, but doubts had arisen, whether in case of the demise of the Crown, in the interval between the dissolution of Parliament, and the return of the writs for a new one, the new Parliament could sit? The bill was calculated to remove this doubt and to provide for the difficulty, in the manner stated in its clauses. His Lordship having thus explained the objects and purport of the bill, moved that it should be read a first time.

The Duke of *Norfolk* desired to know, if it was meant to be a temporary, or a permanent bill?

Lord *Grvenille* said, he certainly meant it to be a permanent bill, as its objects were obviously and clearly such as would be necessary and useful at all times, and under all circumstances. It applied to the fundamental principles of the constitution, and of government established on those principles, and no man who understood the constitution could surely object to a measure calculated to resort in cases of exigency, with as little delay as general convenience would admit, to the wisdom of Parliament.

The Duke of *Norfolk* said, that if the bill was merely intended to be temporary, he certainly should have no objection to it, as there were circumstances in the complexion of the times that tended to point out the propriety of the measure, but when it was understood that it was to be a permanent bill, a variety of considerations presented themselves as necessary to be provided for, before such an innovation of the constitution was adopted, such as the possible case of the King's being made a captive, his possible incapacity from indisposition, or circumstances to discharge the regal functions, and call his Parliament together, and other equally important and serious grounds for especial provision.

The bill was read, and ordered to be printed.

**BILL TO ALLOW ROMAN CATHOLICS AND PROTESTANT
DISSENTERS TO ACT AS OFFICERS IN THE SUPPLE-
MENTARY MILITIA.**

The Order of the Day for the second reading of a Bill, intitled "An Act to enable persons professing the Roman Catholic Religion, and Protestant Dissenters to serve as Officers in the Provisional Cavalry and Supplementary Militia."

Lord *Kenyon* said, he conceived the bill to be of the most serious importance, and such as ought not to be allowed to pass without being fully and maturely considered, he submitted it, therefore, to their Lordships whether it would be wise or prudent to pass a bill of that nature, just at the close of a long and laborious session, when it was impossible to procure a full attendance, and to enter into that sort of discussion of the principle of the bill and its probable consequences, if it became a part of the law of the land, which ought to take place. The law as it now stood, had been for ages considered as the bulwark of our excellent constitution in church and state, and he conceived the present bill as breaking in upon the Test Act, which had been ever deemed one of the strongest barriers of the church of England. He had been bred up in principles of veneration for that church, and he was attached to it from the most sincere conviction, that it was the purest system of Christianity; therefore, although he did not mean to cast any reflection on those who differed in religious opinions from the church established by law, or obstinately to contend for retaining what, perhaps, ought not to be retained, yet he could not give up his veneration for the Church of England, or consent, for one, to a bill tending to weaken the principle of the Test Act, which had been often discussed at great length, and as often been decided upon by Parliament. And most especially when the bill could not be maturely considered, and when one that part of the House (the bench of Bishops) was almost empty of those noble and right reverend prelates, whose assistance in such a discussion was most peculiarly desirable; but who, at that time, were necessarily employed in the discharge of their pastoral duties. For these reasons, without going into any argument upon the subject matter of the bill, and its probable effects on the religious establishment of the country, which others were much fitter to discuss than he could pretend to be, he should move, "That the bill be read a second time that day three months."

The *Bishop of Rochester* said, he rose to give his hearty assent to the motion of the noble and learned Lord. He was astonished

astonished beyond measure to see a bill like the present brought forward to take the House by surprise upon so important a subject. Many of the temporal Lords were now absent upon various public and domestic concerns. The great majority of spiritual Lords (there were only four Bishops present) were absent, not from neglect or inattention to their Parliamentary duties, but employed upon another very important part of their duty, the visitation of their dioceses. Was it decent then, was it fitting in those who supported this bill, to bring it forward in the *dog days*, when it was impossible that it could receive the discussion it deserved; when it could neither have the opposition which many might think it their duty to give it, nor that defence which others might urge? The measure was to a certain extent a repeal of the Test Act, which had for more than a century been the guard of the Church of England, and the civil as well as religious establishment of the country, for Church and State were so inseparably blended, that when one was weakened, the other was weakened also, and they must stand or fall together. Nor was the principle of the present bill solely to be apprehended; its principle went a great deal further than the object professed. The Roman Catholics had been subjected by the Legislature to various burdens, particularly a double land tax. The principle of this was not punishment for opinion, but the compensation they were obliged to pay for the different exemptions, to which in consequence of their religious opinions they were subject. The principle of the present measure went to remove all the disabilities under which they laboured. Allow them to bear commissions in the supplementary militia; why not in the standing militia? If in the regular militia, why not employ them in the army, the navy, the law, in all civil offices? The principle went the whole length of repealing the Test Act; in choosing between that measure and this, he saw no difference in principle, and he could only pitch upon this as of two the lesser evil. It was however but justice in him to declare that he was convinced that the natural born Roman Catholics were loyal subjects, and attached to the Government, but he could not consent, in order to grant them what the present bill would confer, to destroy the principle of the Test Act, and the barrier of the ecclesiastical establishment. With regard to the Dissenters, he would frankly confess he did not know what a Protestant Dissenter was at this time of the day. He knew what a Protestant Dissenter was a century ago. Now, however, there was no definition given of them at all applicable to their character.

character. He knew them only negatively. The Protestant Dissenters were not Roman Catholics, nor were they of the Church of England, and between these two negations, they might be any thing. They might comprehend Jews, Turks, and infidels. There was one class of them, who were merged under the general name of Anabaptists. But they were falsely so called. They were not Anabaptists; he did not know what they were; but they were not so exceptionable as the rest who passed under the title of Protestant Dissenters. The general class were not entitled to any particular indulgence. With them, under the colour of religious difference, faction had constantly been at the bottom. The man who, upon a perusal of history, and from careful observation, did not perceive this to be their character, was an idiot, and ignorant of all knowledge upon the subject. They were at once enemies to the civil and to the ecclesiastical Constitution. Upon this subject he felt it his duty to speak, and as was his custom to speak plainly, regardless of whom he might please, and whom offend, *contemptor popularis iuræ*. If the Test Act was to be repealed, let it be avowed, and done openly and fairly, and not attempted by a side wind, by a bill *stolen forward* in that manner. As he saw no utility with which the bill was likely to be attended; and it went to remove the barriers of the Church of England, he should give it his decided negative.

The Duke of Norfolk said, that in a style of fervid argument somewhat correspondent to the *warmth* of the *climate* under which it was brought forward, and bearing some marks of the influence of the *dog days*, the Rev. Prelate had reprobated the measure. For his own part he was seriously, and upon conviction attached to the Church of England as the best form of Christianity, and it was from that attachment that he wished to promote the present bill. He wished to remove from the Church of England the stigma affixed to it so long as it was disgraced with any traces of a persecuting spirit. The Catholic Religion had been overthrown in this country by the disgust occasioned by its practical corruptions, and by the abuses arising out of a tyrannical hierarchy. Every denomination of Christians had in their turns preached up toleration, while it was not the dominant religion, and excused persecution when it was its turn to rule. This stigma he wished to remove. It was complained that the measure came so late in the session. And from the Right Rev. Prelate's complaining of the bill being *stolen forward*, one would

would have imagined it had never been heard of before; but it was to be remembered that it came from the other House, and with evident marks of having been very seriously and deliberately discussed. He was sorry it had not come up earlier, but that was no fault of his, and what must the reverend Prelate say of those negligent Ministers who had left tax bills affecting every part of the community, and measures of great constitutional importance, to be discussed in the dog days, and to be hurried through, at a period of the session which precluded discussion? Surely the reverend Prelate would not fail to attend the progress of these measures, and reprobate the negligence of those to whose fault it was owing that they came forward so late.

With regard to the measure in question, it had been found that the law which required the men serving in the militia to swear they were Protestants, or go to prison, was so severe, that many magistrates felt great difficulty on the subject and were unwilling to put it in execution. In consequence of a representation from a meeting in the West Riding of York, at which a noble Lord (Lord Hawke) now present presided, the law was altered. The object of the bill was to place the officers on the footing on which the common men were placed. The Catholics were a body of men of as great virtue, loyalty, honour, and attachment to the constitution, as any class in the country. He differed as in almost every thing else, from the reverend Prelate with regard to Protestant Dissenters. He would venture to assert, that the character given of that body, was refuted by the evidence of history. The Dissenters had contributed greatly to the revolution, and they had been uniformly friends to the House of Hanover and the established succession. He was aware that in saying this, he subjected himself to the charge which the reverend Prelate had denounced. He should not, however, on that account, hesitate to declare his opinion, and he would rather be the object of the accusation, than the person to throw out an imputation against a body of men like the Dissenters, and to brand those with faction, who on many occasions had signally exerted themselves in the cause of the constitution, and whose purity of conduct often put to the blush the members of the established church, an accusation too which included the members of the established church of the northern part of the kingdom. He, therefore supported the bill.

Lord Hawke said he had been so particularly alluded to by the noble Duke, that he must say a few words. He had

had presided at a meeting of the Magistrates in the West Riding of Yorkshire, and had felt the inconvenience of administering the oath to the privates, many of whom, it was well known, were Roman Catholics, and upon that application had been made to Government, and the Bill had been altered, so as to meet the difficulty. That being the case, he really could not see the propriety, or indeed the consistency of refusing to extend the same privilege to the Gentlemen who were willing to hold commissions in the Supplementary Militia, that had been adopted in respect to the privates. Having granted it to the men, it appeared to follow *a fortiori* that it could not be denied to the officers. The privates had not the same stake in the defence of the country that the gentlemen of property had, and to grant to the privates what was refused to the persons willing to hold commissions, appeared to him to warrant the inference that the gentlemen who were Roman Catholics or Dissenters were not to be trusted, though those who were less enlightened might be relied on—an inference that, in his mind, was an ungracious return for the loyalty, attachment, and zeal of as firm and faithful a description of subjects as any in the kingdom. He should, therefore, hold it his duty to vote for the Bill being read a second time.

Lord Sydney, who had risen at the same time that Lord Hawke did, said that he coincided with the motion of the noble and learned Lord for the postponement of the second reading, expressly for the reasons stated by that noble and learned Lord, and no other. He thought it an improper period of the session to pass a Bill of that importance, which required, as the noble and learned Lord had declared, to be maturely discussed before the House gave their consent to it. He assured their Lordships that he had no ill will, nor did he entertain any disrespect for Roman Catholics or Dissenters. He had through a pretty long parliamentary life always shewn himself a hearty friend to religious toleration, and assisted and supported every application made on reasonable grounds to obtain its extension. He agreed with the right reverend Prelate in much of his argument; but there were parts of it to which he could not assent, and therefore feared that he must fall under the lash of that censure, severe as it was, that the right reverend Prelate had pronounced on all who did not carry their opinions respecting Protestant Dissenters as far as he did. He thought Government had acted wisely in calling forth the united strength of the country for its defence against that horde of human beings who were the enemies of all religion

gion, and openly professed a disavowal of any religious notions whatever.

But what he disliked in the present Bill principally, was that it was originally introduced as a trifling measure of no great consequence, and in its way through the different parliamentary stages it was swelled by one addition and another, till it became a measure of some magnitude and of considerable importance. Nay, they had been given to understand by a noble Duke on a former day (the Duke of Norfolk), that it was his intention to move for its still further extension. To that sort of practice of introducing one thing, and enlarging and altering it till it became a very different thing, he owned he felt great dislike. Another reason and a strong one for postponing the Bill was the late period of the session, to which was to be ascribed the absence of the Bishops, and the very thin attendance that their Lordships then witnessed. It had been thought a sufficient ground to postpone the further consideration of the Surgeons' Bill ten days ago, because the House was thinly attended, and certain noble Lords for particular reasons were not able to attend: and would their Lordships put a Bill affecting the Company of Surgeons on a footing with a Bill that deeply concerned the established religion of the country? Upon these reasons Lord Sydney said he should give his vote for the motion of the noble and learned Lord who so worthily, and so much to his honour, presided over one of the Courts of Justice.

The Bishop of *Bristol* (Dr. Cornewall), professed himself no enemy to Roman Catholics and Dissenters, because he thought any religion was better than none, and that religious persuasions, however visionary they were, or of whatever nature they might be, afforded some security to society. He never had held that persecution for religious opinions was justifiable, but undoubtedly restraint was often necessary and expedient, especially when religious opinions differing from those of the Established Church were likely to outrage and injure the civil and religious Constitution of the country; for its ecclesiastical establishment was indisputably and intimately connected with its civil government, and they must either stand or fall together. The Test and Corporation Act was, as had been acknowledged, one of the most formidable fortresses of the State, and though he did not think the present Bill a direct attack upon it, yet it was calculated to undermine it, and therefore it was necessary to be opposed *in limine*, as a hostile measure.

measure against the Test Act. It had been alledged that the present Bill was necessary, as it was found difficult to procure gentlemen to take commissions, and act as officers in the Supplementary Militia. Admitting the fact that such a difficulty existed, which had not been proved, still he disliked the Bill as a remedy. Other measures might certainly be suggested that would prove equally, if not more effectual. Sooner than agree to the present Bill, the Bishop said he would rather consent to a Bill to compel gentlemen who had property, and were duly qualified, to serve as officers. He thought that would be by far the lesser evil. His Lordship urged other arguments conveyed in mild and governed language, and concluded with giving his support to the motion for postponing the second reading of the Bill.

The *Lord Chancellor* said, he felt great pleasure in having heard the arguments of the right reverend Prelate, which were founded in good sense and moderation. There was not one of them that he did not perfectly coincide with, excepting only the idea that the present Bill was a violation of the Test and Corporation Act—an idea that could only arise from apprehensions altogether unfounded, and inapplicable to the measure under consideration, which had no relation to the Test Act whatever, nor did it, in the smallest degree, trench upon that statute, which was rightly considered as a salutary guard and protection for Church and State; he for one should be extremely sorry to see that Act either repealed, or, as the learned Bishop, who spoke last had termed it, undermined. The established religion of the country was that which the general voice, the large majority of the people, had selected as being, in their judgment, the best, the most pure, and most simple system of practical Christianity. Having chosen it, it became absolutely necessary to guard it effectually; and for that reason it was that our ancestors wisely passed the Test and Corporation Acts, by which every person holding an office in the civil or military government of the country, in the navy, or the regular army (for though the constitution of the country did not recognize a regular army, a large standing force had for obvious reasons been for so many years found necessary to be kept up and maintained, that in argument it might fairly be denominated the regular army) should, by a solemn oath, give a pledge that he was not disaffected to the established religion. But was the case the same with respect to the present

present Bill? By no means. The country had often been threatened with invasion by a single enemy. Apprehensions had been entertained, and preparations made for the defence of the kingdom, which had proved generally effectual. But the invasion at this time to be apprehended was of a totally different nature. It was, lest that eruption of the volcano, which had burst on the continent, and overwhelmed the greatest part of the countries by Europe, should make its inroad, and spread its destructive lava over the fertile fields of this happy island; it was to guard against the common and inveterate enemy of all religion, all order, and all regular government, that subjects and Christians of every description, who had an interest in religion, an interest in the country, were called upon to come forward, heart and hand, in its defence. A force of such a peculiar, temporary, and occasional nature could not be classed with any branch of the civil or military establishment; and consequently none of the apprehensions and alarms that had been entertained with respect to the consequences of the present Bill, as far as it regarded the Test Act, had the smallest foundation. At the same time that he said this, he should be inclined to support the motion of his noble and learned friend, and for this reason: he thought the undue warmth which the agitation of the contest occasioned, though founded, as he had argued, in misapprehension, might be productive of as much or more mischief than if there was serious and solid ground for alarm; and though he had not the smallest doubt that when men gave themselves time to weigh the measure coolly and calmly, and to judge of it dispassionately, they would see how much too far their zeal had carried them, yet it would not be worth while to hazard the danger of cherishing a controversial hostility for the sake of a measure like that the Bill was intended to sanction. He would, on this occasion, quote a trite and a vulgar saying, that when two men contended for a rope, "the harder one pulled, the stronger the other would keep his hold;" the only safe way of ending the dispute, therefore, was to "let the rope fall to the ground;" and that advice, notwithstanding his firm conviction that the measure was a wise one, and by no means merited the opposition it had experienced, he should both give and adopt on the present occasion by voting for the motion of his noble and learned friend.

The Bishop of *Rocheſter* ſaid, that he had been miſunderſtood (as he imagined) by the noble Duke. He did not mean to throw any reflection on the Church of Scotland, as he ſuppoſed the noble Lord underſtood. He conſidered the Proteſtant Diſſenters as totally unlike the Church of Scotland, or any other eſtabliſhed Church in Chriſtendom. He ſaw great danger in the Bill, he therefore maintained his opinion as he had ſtated it. Let but the fox get in his toe, he would take care that his body ſhould follow. Indeed from the writings of Proteſtant Diſſenters, approved by their ſynods and adherents, they conſidered the difference between Preſbytery and Epiſcopacy to be nothing more than the difference between a kept miſtreſs and ſtreet-walking ſtrumpet.

The Duke of *Norfolk* roſe to explain, and contended that the right reverend Prelate (the Biſhop of Rocherter) had by no means convinced him, that when he ſaid faction was at the bottom of all the endeavours to procure an extension of toleration by the Proteſtant Diſſenters, his cenſure, harſh and unwarrantable as it was, did not include the members of the eſtabliſhed Kirk of Scotland. If the preſent Bill were thrown out, after allowing the privateſ to ſerve, notwithstanding their diſſenting in religious opinions from the perſuaſions of the Eſtabliſhed Church, and the ſame favour were reſuſed to be granted to the Roman Catholic and Diſſenting Gentry and men of property, who were willing to become officers, the plain inference would be, that thoſe who had property and a ſerious intereſt in the defence of the country, were not conſidered by Parliament as men to be truſted; while the privateſ, who had nothing to loſe, might ſafely be relied on. With regard to what the right reverend Prelate had ſaid of the double land tax impoſed on Roman Catholics, perhaps it was owing to his not being ſooner in Parliament that he did not know that an impoſition, generally conſidered as an extremely unfair one, had long ſince been taken off. If he had been in Parliament at the time, the right reverend Prelate would probably have oppoſed it upon the ſame principle that he had deemed it his duty oppoſe the preſent Bill.

Lord *Auckland* ſaid, that he roſe merely to advert to an expreſſion uſed by the noble Duke, who had ſtated that the poſtponement of the Bill would imply, "that Parliament was afraid to truſt the Roman Catholics." No ſuch inference could be drawn. The conduct of the Engliſh Roman Catholics amidſt the perilous circumſtances of the national ſtruggles,

struggles, which had lasted so long (and were not yet terminated), had been uniformly such as to merit the approbation, the gratitude, and the confidence of their country. With still less reason had it been intimated, that the postponement of the Bill would seem to "brand the Protestant Dissenters as a faction." No such idea was entertained as applicable to any religious persuasion. It would be illiberal, unjust, and unbecoming. His own motive for voting the postponement of the Bill was entirely distinct, from all predilections or prejudices, either religious or political. He was not prepared to admit that the Bill was not, *pro tanto*, a dispensation from the Test Act. At the least it purported to be a relaxation of the restrictions which, for more than a century, had been thought necessary for the safety of our ecclesiastical establishment. The measure, therefore, was novel; and it was not grounded on any urgent or apparent expediency. Under such circumstances it was improper to go forwards at the close of the session, and in the absence of the two Archbishops and of twenty Bishops. With respect to the framers and promoters of the Bill, he was fully convinced that they had no view or motives in the business, beyond what arose from a laudable wish to unite, in a time of difficulty, the hands and hearts of loyal individuals of every description.

The Earl of *Carlisle* observed, that the noble and learned Lord on the woolsack had made an able and argumentative speech in defence of the Bill, and very sufficiently proved that the apprehensions entertained by the right reverend Prelates were ill-founded. He had, nevertheless, concluded with declaring that he should vote for the rejection of the Bill, which was rather an illogical consequence to his own strain of reasoning. For his part he felt no such apprehensions as had been so warmly enforced by the right reverend Prelate, who spoke second in the debate; but what had passed had suggested to his mind an apprehension of a very serious nature indeed; and that was, whether the rejection of the Bill, after the alteration of the former Supplementary Militia and Provisional Cavalry Bills in favour of the privates, who were either Roman Catholics or Dissenters, might not tend to irritate that large description of subjects in a neighbouring kingdom, to conciliate whose minds it was at present so much the interest of this country to exert every means to effect. He could speak on the behalf of the Roman Catholics and Dissenters who lived in that part of the kingdom which he inhabited; and assure

their Lordships that they merited every indulgence that Government could grant, as his Majesty had not a description of subjects more loyally attached to his personal and the general interests of the country. Therefore, as the Bill was moderate in its nature, and useful in its tendency, he should give it his support.

Lord *Grenville* said, that with regard to the apprehension of the noble Earl, who spoke last, however seriously he might feel it, there was no ground whatever for alarm as to any effect the rejection of the present Bill might have in Ireland; because the Test Act had long since been repealed in that country, a measure which he had concurred in most heartily and lent his assistance to promote, from a conviction that from the situation and circumstances of that kingdom it was a wise and salutary measure. With regard to the present Bill, as far as it went, it certainly was a repeal of the Test Act, and certainly so considered it was a Bill that ought not to be decided on without that degree of discussion which its importance required, and which from the period of the session and the circumstance of so many Lords being absent, either on public, military, or other professional duty, and from necessary attendance on their private concerns, most especially the right reverend bench, could not now be had. His Lordship said, he thought it highly necessary to take notice of an observation made by a noble Duke, that if the Bill did not pass, it would warrant the imputation, that the Established Church, like the Roman Catholics and every other religious body when in power, was inclined to exercise power and be as intolerant as their rivals. He denied that the assertion had the slightest foundation; the very reverse of intolerance had been the characteristic of the Established Protestant Church, from the period of the Reformation to the present day. It was its liberality, its candour, its willingness to extend toleration, wherever it could be extended with safety to the Constitution that had formed its grand characteristic, and distinguished it from the bigotry, intolerant, and persecuting spirit of the Roman Catholics. He could not, therefore, allow such an insinuation as the noble Duke had thought proper to throw out to remain unanswered, and he was confident that every candid man would readily allow, that religious toleration, so far from being a matter foreign in practice in this country, was one of its most favourite exercises.

On the division the

<i>Contents were</i>	23
<i>Not Contents</i>	6

<i>Majority</i>	17
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Adjourned till next day.

HOUSE OF COMMONS.

TUESDAY, July 11.

The *Speaker* immediately after leaving the Chair stated, that it was with extreme concern and regret that he had to call the attention of the House to a letter which he had that day received from an honourable and learned Gentleman (Mr. Hatfell). He then proceeded to read the letter, the substance of which was, That Mr. Hatfell, after having filled the office of Clerk of the House of Commons for 37 years, wished to retire, and desiring to appoint John Lee, Esq. whose experience in every part of the proceedings in the House had been long acknowledged, and qualified him for that office. Mr. Hatfell's letter then stated his grateful sense of the favourable manner in which his conduct had been received by the House.—The *Speaker* then said he hoped the House would excuse him from reading that part which was partial to himself.

The *Chancellor of the Exchequer* said, that in justice to the honourable and learned Gentleman whose letter had been read, he thought it ought to be entered on the Journals of the House, accompanied with a distinct vote, expressive of the sense of the House on the merit of the services of that Gentleman. The House collectively, and the public, sustained a loss, and each individual in the House must regret the event of that Gentleman's retirement; and he was aware that the House would with great readiness bear testimony to the public services of that officer of the House. He therefore moved,

“ That Mr. *Speaker* be requested to acquaint Mr. Hatfell, that the House entertain an high and just sense of the distinguished and exemplary manner in which he has performed the duties of the office during his very long attendance in this House.”

The *Master of the Rolls* seconded the motion, which was carried *nem. con.*

The *Speaker* then said, that the experience and abilities of the

the learned Gentleman whom Mr. Hatfell had nominated, and of whom the House would, no doubt, approve, as the deputy, were the best pledges for the reparation which the House and public had sustained by the loss of Mr. Hatfell's services.

Mr. Lee's appointment was then approved.

The additional stamp duty bill on deeds, was ordered to be read a third time the next day if then engrossed.

INSOLVENT DEBTORS' BILL.

Mr. *Serjeant Adair* brought up a petition from a gentleman of the name of William Wilkinfon, which stated that the petitioner was formerly a merchant at Antigua; was confined there for a debt of 1886*l.* and discharged under an insolvent debtors' act, passed at the Colonial Assembly. That he was requested to come into this country by certain public commissioners, to give evidence in a matter of great importance, and was promised remuneration for his loss of time, expences, &c. That on his arrival in London, he was arrested, and has ever since remained in custody, for the very same debt from which he was discharged by the Colonial Insolvent Act. That he has rendered many and considerable services to government, &c. That the sum for which he is now confined, is so large, that he will be excluded the benefit of the Insolvent Act now depending in Parliament, and prayed that a clause may be inserted in the bill, to relieve him from the very extraordinary circumstances of his case.

The petition being read, the learned Serjeant observed, that this application was not without a precedent; but, as the Insolvent Debtors' Bill was far advanced in the House, and, as the relief prayed for, might be granted in the House of Lords, he should only move, that this petition be laid upon the table.—Ordered.

The Insolvent Debtors' Bill was then read a third time, and passed, on the motion of Mr. Alderman Anderson.

The bill for encouraging and regulating the Southern Whale Fishery, was read a third time and passed.

Leave was given to bring in a bill, to continue, for a time to be limited, the law for allowing certain Banks in Scotland to issue small notes, upon the motion of Mr. W. Dundas.

CLOCKS AND WATCHES.

Mr. *Rose* moved the Order of the Day, upon the Clocks and Watches duty Bill, which was, that the bill should be committed to a Committee of the whole House.

The

The Order being read, he moved, that the Speaker do now leave the chair.

Mr. *Wilberforce Bird* said, he understood that this Bill would give a species of inquisitorial power to the collectors of the tax. He at first thought, that the tax upon gold watches was a good one, but, upon conversing with persons better informed than himself upon the subject, his opinion had altered. He now understood that a duty of eight shillings per ounce had been lately laid on gold. That few watches are made of less than two ounces; the price, therefore, of every gold watch must be sixteen shillings higher, and when there came to be added to that ten shillings, he apprehended that great discouragement would be thrown in the way of the trade. He objected also to the tax on the inferior watches, and stated that several thousand manufacturers at Birmingham and other places were already out of employment in consequence of this bill, for it affected not only watch makers, but by lessening the sale of watches, affected also a prodigious number of persons who had been constantly employed in making steel chains and various other trinkets, so that trade in general was likely to be materially injured, if this measure was adopted.

Mr. *Jolliffe* disapproved of the tax also.

The *Chancellor of the Exchequer* defended the general principle of the tax, as a tax upon luxury. There was no inquisitorial power given by it. Housekeepers were to return the answers which their domestics gave to them, but were not responsible for the truth or falsehood of the returns. With respect to the tax having a bad effect on trade, by diminishing materially the sale of watches, he considered that as begging the question. It was in his contemplation to allow those who exported watches to make them up of gold inferior to the present standard, and that appeared to him to be the most important point in the way of trade.

General *Tarleton* said, he was instructed by a very considerable body of his constituents to oppose this tax, and he should obey their directions as a member of Parliament, by voting against the bill.

The House divided.

<i>Ayes</i> , (For the question)	—	—	42
<i>Noes</i> ,	—	—	7
<i>Majority</i> ,			35

The

The House then went into a Committee, and proceeded in the bill.

On reading the clause that exempts his Majesty and the Royal Family from the payment of the duty,

Mr. *Bouverie* said, he thought it very hard indeed that the Royal Family should be deprived of the pleasure of paying this tax.

Mr. *John Pitt* said, that his Majesty was exempted by the Law of the land from paying any tax in person.

Mr. *Bouverie* said he knew that it was an improper thing for his Majesty's name to appear in any Tax Bill whatever. The constant practice was that his Majesty should be exempt from direct taxes. But he hoped the time would come when his Majesty would contribute very largely to the relief of the finances of this country. But he saw no reason for exempting the Royal Family from the payment of this tax, and therefore he should oppose this exemption.

Division for exempting the Royal Family	35
Against it	7

<i>Majority</i>	28
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The *Chancellor of the Exchequer* proposed a clause to exempt from the operations of the bill all the houses occupied and kept by any branch of the Royal Family, or Foreign Ambassadors.

Mr. *Jolliffe* said, that this clause was so absurd a one, that he could not conceive how a man of the sense of the Chancellor of the Exchequer could propose it. To exempt all the servants of the Royal Family was a thing against all principle of justice. It was well known that they now paid no turnpikes. But this exemption was intolerable; the Groom of the Chamber, and all the Officers of State, who derived such large emoluments, would be excused the payment of a tax on watches; a thing as absurd as it was unjust; and he was sure the Minister could not think of persisting in it after reflecting upon it.

The *Chancellor of the Exchequer* said, that the statement of the honourable Gentleman was so absurd that he should be very sorry if he had proposed any thing like it. The exemption was made in order that no part of the Royal Family should be called upon to make a return according to the provisions of this bill, and without that return it would be impossible to lay on the tax at all. The great Officers of State, although they were the King's servants, would not be exempted from this tax, because they did not live in the houses of any of the Royal Family; they lived in houses of their own. This exemption would only extend to menial servants of the Royal Family.

Mr.

Mr. *Folliffe* said, that this was really the most extraordinary thing he ever heard of in his life. There was as much sense in the idea of exempting the servants of every man in the kingdom, as in exempting the servants of the Royal Family. What pretence was there in exempting from the payment of a duty for wearing a watch, the servants of the Prince of Wales, the Duke of York, the Duke of Clarence, the Duke of Gloucester, and every one branch who kept a household? The Minister might as well say, that they should not pay any duty upon the leather of their shoes, or the linen of their shirts, as to say that they should not pay this tax, which the servants of other persons were called upon to pay. He was sure the Minister would not persist in such a manifest absurdity, as well as monstrous injustice. As to the difficulty of calling on any of the Royal Family to make a return of persons who wore watches, that was easily got over. Let the Steward of the Household be directed to make the return, and the difficulty was at an end; for his part he saw this in such a point of view, that he would divide the House upon it one hundred times, if that was necessary in order to prevent it.

The question was then put upon the clause.

Mr. *Folliffe* said, he should be obliged to the Minister if he would give him an answer upon this, what difficulty was there in directing the Steward of the Household to make the return?

Ayes, (for the Exemption) 35, *Noes*, 8.

The Committee then went through the bill, and the Report was ordered to be received the next day.

The other orders of the day being gone through, the House adjourned.

HOUSE OF LORDS.

WEDNESDAY, July 12.

Received several bills from the Commons.

The bill to enable his Majesty to call Parliament together sooner than the law now permits, and to remove certain doubts as to its meeting upon a demise of the Crown, was read a second time, and ordered to be committed the next day.

On the motion for the third reading of the Scots Militia Bill,

The Duke of *Norfolk* said, he did not rise to oppose this bill, of which he perfectly approved. He only rose to observe, that after so much argument from the Bench of Bishops, against permitting the Catholics and Dissenters to

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serve their country, he was glad to see, that in the Scots Militia Bill, no such invidious exception existed. From this it should appear, that the people of Scotland, from having no Bench of Bishops, had an advantage in the defence of their country, which in England the Bench of Bishops had thought proper to oppose.

The *Lord Chancellor* said, that the observation of the noble duke, required only a single word in reply. In Scotland, no sacramental test was required for any office whatever.

The bill was read a third time and passed.

Forwarded the bill's on the table in their various stages.—
Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, July 12.

The *Speaker* acquainted the House, that in compliance with their request, he had communicated their vote of last night to Mr. Hatfield, who requested him to return them his most grateful acknowledgements for the approbation which they had unanimously been pleased to express of his conduct.

The *Speaker* also acquainted the House, that Mr. Hatfield had appointed Mr. Dyson assistant clerk, in the room of Mr. Lee, who is appointed clerk.

Mr. Dyson was called in, and at the *Speaker's* desire, took his seat.

The reports of the unlawful oaths Bill, and of the clock and watch duty Bill, were brought up and agreed to.

Mr. *Percival* moved for leave to bring in a bill to enable his Majesty more easily and more effectually to grant conditional pardons to persons under sentence of naval court-martials, and to regulate confinement in such sentences.—Leave was granted.

The *Chancellor of the Exchequer* moved for leave to bring in a bill for granting a further time for carrying into execution the powers of the Provisional Cavalry Act.—Leave granted.

CLOCKS AND WATCHES.

The *Chancellor of the Exchequer* stated, that in consequence of the late tax, and with a view to encourage and promote the commerce of the country, it had been suggested that it would be a proper measure to permit the manufacture of gold watches, and other wares, of a species of gold below the current

sent standard. From the purity of the articles of our gold manufacture, we were at present undersold in the foreign markets, and this alteration in the law, would put us upon the same footing with other nations, who used a species of gold for their manufactures, mixed with a great deal of alloy. He was persuaded that no inconvenience would arise from granting this latitude to our manufactures. He therefore moved for leave to bring in a law for allowing gold wares to be manufactured at a standard below that allowed by law.

Mr. *Wilberforce Bird* contended, that this latitude would be of no advantage to the watchmaker; that on the contrary, he would lose instead of gaining by it, because our watches were in estimation in the foreign markets, merely on account of the purity of the gold of which they were made.

The *Chancellor of the Exchequer* replied, that if the honourable Gentleman had conversed with any of the trade upon the subject, they would have rectified his mistake respecting the advantage they would derive from it; he owned, however, that it was not the interest of this body of men alone, which induced him to bring forward the measure—he had an eye also to the encouragement of the general commerce of the country. The honourable Gentleman argued, as if people laid out their money in hoarding gold watches, merely because they were made of a precious metal, but he never heard of any such practice being in existence; people, though from vanity or shew, they might purchase a gold watch rather than another, were commonly influenced in their choice of that article, not by the value of the metal, but by the excellence of the mechanism. At present, English watches were allowed to be superior in the latter respect to those of any other country, and the great obstacle to their exportation at present, was the high standard of the gold of which they were made.—The bill, which he had moved for leave to bring in, would remove this obstacle, and enlarge our commerce, while, at the same time, it would not increase the quantity of gold exported. The only objection that could be offered against it, was a supposed inconvenience which might result from having two gold standards, from which a temptation might arise, to melt down the current coin. But there was an answer to this objection, in the quantity of light gold which was every year brought to the bank, which was more than all our manufacturers at present consumed.

Mr. *W. Bird* explained; and leave was given to bring in the bill.

Mr. *Parker Coke* brought up a Petition from the merchants of Dudley against the Ship Owners' bill.

A Petition to the same effect was presented by Lord *Hawkebury* from Penrhyn.

The *Chancellor of the Exchequer* said, that after a great deal of communication with the Ship Owners and other persons connected with this bill, he was in hopes that before to-morrow he would be able to propose some regulations upon it; he therefore moved that the Order for taking the Report of the bill under consideration should be deferred till then.

The Report was accordingly ordered to be taken into consideration the next day.

The Order of the Day being read for the Committee on the East India Trade bill.

Mr. *Secretary Dundas* rose for the purpose of correcting some misrepresentations which were abroad, respecting this bill. A question had been asked him, he ventured to say, a dozen times, why he gave to foreign nations privileges in trading to India, which he withheld from this country? the reason was, he only gave to foreign nations what they had enjoyed from time immemorial, and he could not give these privileges to subjects of this country, without repealing the charter which Parliament had granted to the East India company. Had he made an attempt to exclude foreign countries from the commerce of India, what would have been the consequence? It would have drawn upon us the jealousy of every nation in Europe, which, great as our power was, in that quarter of the world, he was not prepared to encounter. He heard that it had been stated in the East India house, that the company's charter gave them an exclusive right to the trade of India; forgetting that the parliament of Great Britain could not, by any charter they could give, supercede the rights of France, Holland, Portugal, Denmark, and Sweden. But he was really almost ashamed to take notice of such nonsense. The bill now before the House gave foreign countries no new preference, nor did it rob the East India company of any right which they had enjoyed.

Mr. Alderman *Lushington* perfectly agreed in opinion with the right honourable Gentleman, respecting the commerce of India, and he did it the more readily, because it was an opinion which he had long entertained. He had foreseen that England
could

could not supply all the countries of Europe with the produce of the East Indies, while they consumed so great a quantity of the articles of that produce as they at present did. And while this was the case, he thought that every facility should be granted to foreigners to carry on the trade for themselves. He observed further, that the East India company's charter was granted to them against British subjects, and not against foreign nations. The present bill, therefore, could afford them no reasonable ground of alarm.

The bill then passed through a Committee of the whole House, and the report was ordered to be received the next day.

In a Committee of supply, to which the American treaty was referred,

The *Chancellor of the Exchequer* moved, that the sum of 38,000*l.* be granted to his Majesty, to make good the sum awarded by the commissioners, under the 7th article of this treaty, against the British Government. Resolved.

Sir *W. Pulteney* wished to know if this was the whole of the sum awarded, or if any had been awarded to the British Government?

The *Chancellor of the Exchequer* replied, that this was the first report, and that he did not know of any other sums which as yet had been awarded either against Britain or America.

The report to be received the next day.

On the motion of Mr. *Rose*, the order for bringing in a bill to authorise the commissioners of the stamps, to stamp deeds, bills of exchange, and notes of hand in certain cases, was discharged, on account of the impracticability of doing it in the instances of bills of exchange and notes of hand; and leave was given to bring in a bill to authorise the commissioners of the stamps to stamp deeds and other instruments therein mentioned.

The gold ware bill was brought in and read a first time; and on the motion of Sir *William Pulteney*, was ordered to be printed.

The custom duty bill passed through a Committee of the whole House; the report to be received the next day.

The additional duty on deeds bill was read a third time and passed.

The pleasure horse bill, and the servants' duty bill were each read a second time.

The bill for granting an additional allowance to subaltern officers

officers in the time of peace passed through a Committee of the whole House; as did the Exchequer bills' bill, and the bill for preventing the forgery of the names of witnesses to letters of attorney, &c.; the reports to be received the next day.

The provisional cavalry bill, and the commissioners of the stamps bill, were brought up and read a first time.

Adjourned.

HOUSE OF LORDS.

THURSDAY, July 13.

Their Lordships having resolved themselves into a Committee of Privileges, to consider of the claim of Sir Adam Ferguson to the Scotch Peerage of Glencairn.

The Lord Chancellor entered very much at large into the history of the Earldom of Glencairn, and concluded with regretting that it appeared to him their Lordships would feel themselves bound to deny themselves the advantage of having Sir Adam Ferguson among them; for, if his title was established, he had no doubt but that the nobility of Scotland would unanimously elect a man who would be so great an ornament to them. But it appeared to him, from a long consideration of the case, that the claim to the title of Glencairn was not made out by Sir Adam Ferguson. He moved a resolution to that effect in a Committee of Privileges, which resolution was agreed to.

Received from the Commons a great number of bills, which were all read a first time.

The other bills on the table went through their stages in order as they stood. Adjourned.

HOUSE OF COMMONS.

THURSDAY, July 13.

The report of the Committee to which the claims of Mr. Palmer, late of the Post Office; were referred, was brought up, read, and ordered to be printed.

The Scots small note bill was read a second time.

The bill to enable his Majesty more easily and effectually to grant conditional pardons to persons tried under courts martial was read a second time.

The farmers' horse additional tax bill was read a third time and passed.

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The consolidated fund bill was read a second time.

The inferior standard gold bill was read a second time.

The report of the funded property bill was brought up and agreed to.

The report of the resolution to enable his Majesty to defray the amount of awards for American captures was read and agreed to.

The bill to enable the Commissioners of stamps to affix the proper stamps on deeds therein mentioned was read a second time.

Mr. *Wigley* said that the bill ought to have been much more general in its application.

The bill was read a second time.

The bill for preventing the administering of unlawful oaths was read a third time and passed.

The bill to prevent the counterfeiting of the coin was read a third time and passed.

The bill to impose an additional tax on male servants went through a Committee.

The India judicature bill went through a Committee.

Leave was given to bring in a bill to enable the deputy clerk of the House of Commons to receive and transmit letters, &c. free of postage.

The House on a motion for the re-commitment of the ship owners' relief bill went into the Committee.

Mr. *Wilberforce* suggested the propriety of printing the bill in its altered state.

Mr. *S. Smith* said, he believed that the alterations made would give satisfaction to all parties. The burthen of proof was now laid on the ship owners.

The *Master of the Rolls* said, the House should pause before they agreed to that part that put an end to existing actions. He wanted to know what was meant by "the perils of the sea," and condemned the retrospective clauses, which he proposed to omit.

Mr. *Dudley Rider* expressed the utility of them, and supported the bill, because it only declared what was generally understood to be the law previous to the decision in the case, *Smith v. Shepherd*. Little inconvenience could arise from the bill, as it was meant to make it expire two months after the commencement of next session.

The *Master of the Rolls* replied.

The *Solicitor General*, in contradiction to Mr. *Ryder*, understood

stood the bill as tending to repeal the act of 1786, and went through a learned law dissertation against the bill.

The *Chancellor of the Exchequer* was for the bill, with modification, as a temporary measure, suspending actions now raised.

Mr. *Wood* explained the case of *Smith v. Shepherd*.

Mr. *Pereival* and Sir *W. Pulteney* opposed the bill, as did Mr. *Wigley* and Mr. *Parker Coke*.

A division then took place on the question, whether the ship owners should be exempted from responsibility in tideway rivers in the same manner as upon the high seas?

Ayes, (For the words,) —

Noes, —

33
8

Majority

25

Several other amendments were then made, and the bill ordered to be reported.—Adjourned.

HOUSE OF LORDS.

FRIDAY, July 14.

The order of the day being moved for the second reading of the general inclosure bill.

The *Lord Chancellor* in a speech of some length stated his objections to the bill, and in doing so, he said, he hoped he should not be considered as an enemy to its principle, since no man was more sincerely a friend to a general inclosure regulation than he was, but in carrying that principle into practice, it was indispensibly necessary to take care that the mode adopted was likely to be effectual, and that the end would be obtained, which a bill for a general inclosure proposed for its object. The present bill, his Lordship observed, was drawn with so little attention to legal language, with so unaccountable an ignorance, of its use and application, and with provisions so absolutely impracticable, that it appeared to him to be wholly incurable. At the same time, being as he professed himself to be, earnestly and sincerely inclined to the principle of a general inclosure bill, if any noble Lord present, thought he possessed skill and nerve enough to enable him to make the bill common sense, and unfold the perplexities of its clauses he would not oppose its going into a Committee, despairing as he did of the possibility of curing its gross and palpable absurdities. His Lordship said, every page of the bill, every clause of it presented to his mind an almost insurmountable objection.

tion: The mode it proposed of inclosing by individual consent, if the parties whose consent was to be obtained, were at all considerable in point of number, was upon the face of it, not possible to be carried into effect. Another essential objection was, it did not bind the soil, as was the case in common inclosure bills. If any man under the authority of the bill, were to obtain the consent of every individual that he thought interested, or who possessed a right of granting consent, and were to undertake a large inclosure, to complete it, and to have expended any given sum on its execution and completion, and it should afterwards turn out that the title of a single cottage within the limits of the grounds enclosed were disputed, the whole object was defeated, and the aggregate expence, large as it might be, would fall inevitably on the man who had been rash enough to undertake the enclosure: His Lordship put this case hypothetically, and he followed its statement, with much sound argument to shew, that the bill was drawn with little attention to legislative language, that its enactments and provisions were not only inexplicable from the obscure and perplexed wording of them, but that it was actually impossible that they should ever be carried into effect. He therefore moved, to save their Lordships unnecessary trouble, that the bill be rejected.

It was rejected accordingly.

SURGEONS BILL.

The order of the day for the third reading of a Bill, entitled "An Act for erecting the Corporation of Surgeons into a College, and for confirming to such College certain, rights, privileges, and immunities," and that Counsel be heard on the same, having been moved and read,

Counsel were called to the bar.

Mr. *Plomer* was heard on the part of the petitioners against the bill. He divided his argument under different heads of objection against the bill, and having stated them distinctly, began with a preliminary to these objections, which he considered to be of such magnitude and importance, that if he should have the good fortune to establish it to the conviction of their Lordships, it must prove fatal to the bill. The preliminary in question was the manner in which the bill had been introduced into Parliament. A petition signed by eleven persons without the smallest communication with the commonalty at large, who have an equal interest in all the concerns of the company had been presented to the House of Commons, and the bill had passed that House, and had gone through two stages in

their Lordships House before the petitioners, his clients, even heard or had any knowledge that such a bill was in Parliament. Mr. Plomer contended that such an unfair and surreptitious mode of introducing a bill into Parliament ought to be a sufficient reason for their Lordships rejecting the bill, if there were no other, considering that the petitioners against the bill had an equal interest in all that concerned the company, and were in common with the rest of the corporation, proprietors of all the lands, tenements, monies, stocks and revenues, and other effects of the said corporation. The fact that the bill was so introduced was undeniable, and was in evidence before their Lordships.

In their petition he asserted that one of their allegations was entirely false and unfounded, viz: that their examiners have constantly and without any recompence examined, not only all persons who have offered themselves as candidates for surgeons and surgeon's mates in his Majesty's army and navy, but likewise such as have offered themselves candidates for the service of the East India Company, where as it is notorious, they demand and receive, for those who obtain their diploma to become surgeons in these services three guineas, and from those admitted to become mates one guinea. So far, therefore, from their allegation being founded, it is directly the reverse. They also state that the examiners have no interest in the fees and perquisites whereas immediately they have a direct individual interest. The fees and perquisites taken on examinations being first paid into the Company's funds, out of which the examiners receive their perquisites and it is in evidence that the examiners since the passing of the act of the 18th of George the second, have received 16000*l.* and upwards for their own private use.

Having stated the preliminary he proceeded to his different heads of objection, a principal one of which was, that the present master and wardens had held corporate meetings or rather attempted to hold corporate meetings contrary to the charter, and had done various acts contrary to law, and which vitiated and annulled the charter.

That they had alienated vast sums of money, the property of the corporation without having any legal dominion over the finances of the company. For example they had sold and disposed of the hall in the Old Bailer, and purchased for 5500*l.* a house in Lincoln's Inn Fields, and that having thus exceeded their powers, they found they could not make use of their large house so dearly purchased, for the first great object of the company with regard to public good, viz: for the purpose of
dis-

dissection; therefore they found themselves obliged to come back again to the Old Bailey, and there purchase other premises in order to fit up rooms proper for dissection.

He enlarged on these strong facts which were in evidence, and reminded their Lordships that if the funds of a lay corporation could be thus invaded and alienated with impunity, and its legislature should lend its sanction to confirm the gross abuses of power, proved to have been committed, ecclesiastical corporations could also be abused in like manner with impunity. A few individuals of an ecclesiastical corporation might purchase a cemetery or a place for the exercise of public worship at an enormous expence, and might then refuse the use of either to those with whose money they purchased it. They might say, true it is, we have purchased a cemetery but you must not bury in it, neither must you perform public worship in that building, which we bought with your funds for the purpose of public worship.

He argued by a reference to the various acts of Parliament and charters that had been passed respecting the corporation of surgeons, that the master and wardens possessed no power or authority to make such purchases or to alienate the funds of the corporation without the concurrence and consent of the commonality of the said corporation, and that consequently the purchases being illegal, were not, nor could they be held as the purchases of the corporation, but as the purchases of those individuals, who so improvidently made them.

He referred to the minute of Mr. Gunning in the year 1790 as a confession and confirmation of the improper and neglectful manner in which the affairs of the company had been conducted and managed by the masters and wardens for many years together, and went at great length into reasoning upon that paper to support the inference he drew from it, that it was a record to what extent the culpability of the master and wardens and court of assistants had been criminal, it would be neither wise nor just to trust them with the powers the bill before the House would invest them with.

That it has been proved to their Lordships that since Mr. Gunning's minute in 1790, few of the abuses complained of by that gentleman have been remedied or attempted to be remedied.

That it is also in evidence that the true object of the bill is to procure an indemnity from parliament for all the abuses, violations of charter and illegal acts that have been committed by those very petitioners for further power, which the bill is obviously framed for the purpose of putting into their hands.

After a very elaborate argument upon each of his general heads of objection, Mr. Plomer came to the clauses, to many of which he made strong objections. One he shewed by comparison with a clause in the 32d year of Henry the VIIIth which went to take away certain powers that the master and wardens had shamefully abused, to be a direct revival of the powers so taken away.

He desired to be clearly understood as not meaning to impeach in the smallest degree the characters of the petitioners for the bill. There were most undoubtedly very respectable men, of great honour in their private conduct, and men of profound science and skill, considered as professional men.

He laid great stress on his objection to that clause of the bill, which declares that no person who has practised pharmacy as well as surgery should be an examiner. Surgery, he observed consisted of two different descriptions of practice, curative and operative, or manual practice. He contended that it was altogether a new idea to suppose that pharmacy ought not to be connected with surgery. He stated that Celsus, Hippocrates, Galen, and all the celebrated medical men and medical writers among the antients thought a knowledge of pharmacy, surgery and midwifery indispensibly necessary to give due information to a medical man, be his denomination what it might, whether physician or surgeon. He mentioned also Winslow and other more modern writers, and the names of celebrated practitioners now living and in high practice in Manchester, Wolverhampton, Coventry, Northampton and various other great towns. He entered into a disquisition on the complicated nature of obstetrical cases, and asked what sort of a navy surgeon that man would be who knew nothing of pharmacy, and how a person of the corporation of surgeons could be qualified to examine him, if he, the examiner, knew nothing of pharmacy himself? Mr. Plomer enlarged on the ill consequences, that must necessarily result from the disunion of collective science, and contended that it was by collision of knowledge and communication of ideas, that intelligent men could only hope to improve each other.

He concluded a most able and detailed speech with earnestly imploring their Lordships that in justice to his clients the petitioners against the bill, they would reject the bill *instantly*.

Mr. Randle Jackson said, he hoped to recommend himself to their Lordships favour and indulgence, by being as brief as possible, conscious that his learned colleagues had so fully argued the matter, that nothing he could add would strengthen the impression,

pression, and conscious also, that the gentlemen whom he represented, would be perfectly safe in their Lordships hands. He would only make a few observations and those as short as possible. He must, Mr. Jackson said, contend, that the bill was not entitled to their Lordships sanction, as it was unjust in itself and highly impolitic. He had ever considered, from the little knowledge he possessed of Parliamentary forms, and the usage of proceeding with bills, that it was an invariable rule that all parties should be fully apprised, not only that an application was about to be made to Parliament for the attainment of any new law, affecting concerns in which they had an interest, but that they should previously be acquainted with the nature and extent of the proposed alteration, that they might judge how far it was wise and politic, and whether it might not prove an injury instead of a benefit. Where that necessary fair conduct was not observed, his ideas of Parliamentary practice, led him to imagine that was a sufficient reason for rejecting a bill, on the ground of its having been surreptitiously brought before the House. Under that description came the present bill, as due notice had not been given to the parties interested, because as his learned friend had stated, the bill had passed the other House, and actually gone through two stages in their Lordships House before his clients, the petitioners, were aware that any such bill was in agitation. The next ground on which he must contend that the bill ought not to pass was, that he believed it would not be denied him, that when parties applied to parliament for leave to introduce a bill, they were invariably bound to alledge facts in their petition; whereas, in the present instance the petitioners for the bill had not stated their case truly in their petition. Their first allegation stated, "that the present powers vested in the corporation of surgeons were not sufficient for the well ordering and regulating the affairs of the said corporation, and the practice of surgery." It therefore prayed that other provisions should be made for the better ordering and governing the affairs of the said company of surgeons, and for rendering the institution thereof more useful to the public. It subsequently said, "but inasmuch as the said good purposes cannot be attained without the aid of Parliament, &c." This allegation was not the whole truth; the real truth was, that by illegal acts of the master and wardens, the powers of the corporation were defunct, that the petitioners were conscious of the act of suicide that they had committed, and that they now come to Parliament to desire them by their paramount power to re-animate them. It was in evidence, that those entrusted as the executive of the company had chosen officers improperly,

improperly, and alienated property, bought with the bonds of the corporation, to a considerable amount, in the disposal of the company's hall in the Old Bailey, and that they had purchased illegally and improvidently by giving 55*ool.* out of the company's funds for the house they now possessed in Lincoln's Inn Fields, a house which having purchased on such improvident terms it was evident they could not make use of for one of the first purposes of their institution, viz. for the purpose of dissection. That they had done all this wittingly and were aware of the consequences, was also evident from their own minute of the 6th of October 1796, in which they appoint a Committee "to consider of the propriety and necessity of applying to Parliament to rectify any defects that may now exist in the constitution of the company, &c." If therefore the transactions he had stated were illegal, their Lordships were now called upon by giving their sanction to this bill, to legislate between culpability and its legal consequences, to pass the verdict against the innocent at the desire of the criminal, to take upon themselves, what he had never understood to be the province of a House of Parliament, not only to grant an injunction and a stay of process, but to proceed to a determination of suits by the most extraordinary of all means, viz. by sanctioning and purging the criminality of the facts alledged and annihilating the complainants.

He next came to what he had undertaken to make good, viz. that the bill was unjust; it would he conceived, be admitted to him, that mens rights and property could not be taken away but upon two grounds, viz. upon the ground of delinquency or that of state necessity. And first it was necessary to enquire what the rights of the petitioners against the bill were? [In order to make out this point, Mr. Jackson shewed that the commonalty of the corporation were possessed of all powers that were not taken away by special charter or statute, and are the owners of all property belonging to the corporation. As authorities for his argument on this head, he referred to the charter of the 1st of Edward the Fourth (1461) the 3d of Henry the VIIIth, various enactments of which were not repealed, the charter of the 2d of James the First (1602) the charter of the 5th of Charles the First (1630) confirming that of James the First, and the Act of the 18th of George the Second, which separated the companies, and divided the Barbers Company from the Surgeons, making them distinct corporations. He referred also to various bye-laws.] With regard to their property, he contended that it was undeniable, that all the property of the Company lay, not with the Master, Wardens, and Assistants, who
were

were a part of the Company only, but with the commonalty, and that the Assistants had a power to regulate the affairs of the Company, but no power whatever to alienate its property, that in the late sale of their Hall, and purchase of a House in Lincoln's-inn-fields, they had both alienated their property and misapplied their funds, and that having so done, the petitioners against the bill, in common with the rest of the corporation, had their legal remedy if the present bill did not receive their Lordships' sanction; and if it should, the present bill at one stroke destroyed both the rights of the commonalty and the remedy.

He desired to learn if any delinquency had been proved? If it is in evidence, from Mr. Gunning's minute and other testimonies, that ignorant men have been admitted, that the funds of the corporation have been squandered, that with great means the executive of the Company have made no improvements, that they had a theatre without lectures, and a library without books, were the petitioners to be blamed? Had they battered on the 80,000*l.* which since the passing of the 18th of George the 1st. had been received in fees, quarterages, and by other means? Had they pocketed the 16,000*l.* received by the examiners during the same period? In fact, if the bill passed, it would operate an inversion of moral justice; guilt would be rewarded with rank and emolument, and innocence would be punished by a deprivation of its rights and property. Mr. Jackson apologized for using such strong language; he begged to be understood as not meaning to say one word against the private characters of the gentlemen, who had acted as the executive of the Company, he spoke merely of their conduct in a public and responsible situation; he well knew that as private individuals, they were most respectable characters, and that very circumstance constituted one of the grounds of his objection on behalf of his clients against the bill, and was one of the difficulties which he had to encounter.

If there was no delinquency in the petitioners to justify the taking away the rights and property of those he represented, was there any necessity to do so? In the consideration of the impolicy of the measure, their Lordships would see how little it was necessary. As to the private operation of the bill, the illegal transactions and shameful expence incurred by the executive of the Company had been proved, and the bill went to give the same persons enlarged and uncontrouled powers, although it was evident there had been an invariable misconduct as to any means having been taken to advance the profession.

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By the bill the same persons, who had notoriously remedied no abuses were to conduct the affairs of the Company in future. Would they, as censors and councillors act under less limited authority, and more for the advantage of the Company than they had done under the denomination of Wardens and Assistants? The bill, Mr. Jackson observed, ratified all former by-laws and gave the censors and councillors new and extraordinary powers which the petitioners as members of the commonalty were bound to obey.

Mr. Jackson having argued at some length on this head, considered the public impolicy of the bill, and particularly adverted to the 25th clause, that extending the jurisdiction of the College beyond seven miles. He observed, that by that enactment, a non-efficient clause in the 18th of George the II^d. was made an efficient clause, and extended in consequence to ten miles, including a vast body of persons of various descriptions, which would swell the income of the Company and create innumerable law suits; the clause enacted that "if any person, or persons shall, at any time or times hereafter *practise surgery, &c. &c.* That surely was a most doubtful definition. It might fairly be asked, what is *surgery*? It would scarcely be imagined that he meant before their Lordships to be ludicrous on such a subject, but there was a disease common to the juvenile part of mankind, and to the vulgar part of the more mature. A disease, respecting which it was yet a matter of dispute whether the most effectual cure of it lay with the physician or the surgeon. It was well known that it was treated differently by the two professions. The surgeon acted by manual and immediate operation, the medical man by slower progress. To avoid the penalty the patient's life might be endangered. Let it be considered also, that every man who happened to have discovered a solvent, invented a truss, or any instrument to assist and relieve cripples, and was humane enough to apply his invention, might be said to practise surgery, and be liable to be prosecuted for the penalty. Innumerable litigations would arise, as he had stated, from the operation of that single clause, and it would be difficult to know by what evidence the juries ought to determine, and decide upon the fact.

Mr. Jackson enlarged on the fatal consequence of destroying emulation, with respect to the promotion of science. The bill went to give collegiate rank, and the distinguished titles of President, Vice-President, Censors, Examiners, and Councillors, were enviable distinctions, but those titles were under the bill, inaccessible to the body who formed the commonalty. They
were

were not attainable as the reward of superior learning, more profound knowledge, greater genius, or more exalted talents. The promotion was to depend solely on personal favour and individual influence. The former titles of Master, Wardens, &c. under the former charters and statutes, were municipal, those about to be created were of a very distinct and more elevated nature. If, therefore, new and dignified titles were to be assumed, they ought to be laid open, and emulation ought to be excited for their attainment.

If their Lordships upon all these considerations, would upon due deliberation exercise their authority and reject the bill, they would shield the petitioners (his clients) a worthy and respectable body of men, from degradation and possible impoverishment and oppression; they would protect the public from injury and vexation, leave to courts of law their due operation, and preserve the honour of the House. At least he hoped their Lordships would have the goodness to postpone giving their sanction to the bill for the present, and wait till a system could on fuller deliberation be formed upon principles of real public utility.

Mr. *Warren* said, if his learned brethren had not gone into so much extraneous matter, he should have intruded on their Lordships much more shortly, than he feared he should now be obliged to do.

The *Lord Chancellor* desired Mr. Warren to forbear entering at all into a discussion of the extraneous matter, which did not refer to the immediate subject, and which certainly had been gone into by the gentlemen on the other side without necessity, with respect to their clients, and not very civilly with respect to the House.

The *Bishop of Rochester*, desired Mr. Warren to confine himself to the two points, the dominion of the Presidents, Vice Presidents, Censors, and Examiners, and the extension of the jurisdiction to ten miles distance from London and Westminster, as he had little doubts as to the rest of the bill.

Mr. *Warren* said, that with regard to the dominion over the rest of the Company, which the Master, Wardens, and Assistants were stated to have exercised as to the property of the corporation, the charter of James the First appointed four governors, and twenty-six assistants to make reasonable bye laws, that the charter of the 5th of Charles the First, confirmed all the grants and provisions of the former charter, and the 18th of George the Second gave a power to the Master, Wardens, and Assistants, to make, ordain, &c. such bye-laws, ordinances,

rules, &c. for the regulation, government, and the advantage of the Company as they should think necessary. The fair inference from thence was, that the Master, Wardens, and Assistants, were constituted the executive of the Company, with full and unlimited powers, responsible only if they palpably abused their trust, and upon that understanding they had been induced to act as they had done.

With regard to the other point, that of extending the jurisdiction of the College, seven miles beyond London and Westminster, and subjecting all persons practising surgery or professing to practise surgery without a licence, it was an extension justified by necessity, because, if some provision was not made to prevent it, quacks, and ignorant persons would be dabbling in surgery, to the great detriment of the health, and even danger to the lives of his Majesty's subjects. In the 18th of George the Second, a jurisdiction extending to seven miles distance from London and Westminster, had been given the Surgeons' Company, and when the increased population of the district surrounding the metropolis was considered, it surely was no improper extension of the principle to add to it three miles more.

Mr. Warren said, that as he had been directed by the House to confine himself to the two points he had adverted to, he had no further argument to adduce.

Mr. Plumer, in reply, said, before he answered what had fallen from Mr. Warren, he begged leave to say a few words on behalf of himself and his learned friend, that if they had given any offence to the House, it was contrary to their intentions. They had thought it right, as a point of duty to their clients, to enlarge upon such matters in the case as they deemed in their judgment, however erroneously, to be most necessary to be impressed on their Lordships' minds, and to require the mature and deliberate consideration of the House. They neither intended to intrude upon their Lordships' time unnecessarily, nor idly. With regard to what Mr. Warren had said of the inference to be drawn from the powers granted under the 18th of George the Second, to the Master, Wardens, and Assistants, he would venture to say that no man who read the clause of the statute in question, and asked himself fairly what the construction and meaning of the clause was, could draw any such inference. At all times and invariably, the clause was construed to mean no more than the simple import of the wording of it warranted, and he believed not one of their Lordships would put any other construction upon it than that it carried *prima facie*. A to the
juri diction

jurisdiction clause, it was a most arbitrary and intolerable tax upon the public, inasmuch as it laid a heavy penalty on all, who by reading, experiment, and research were enabled to help their neighbours, and assist and relieve in any accidental case that wanted either medical or chirurgical aid, for the word "Surgery" was so undefined and general a term, that it was impossible to say, to what sort of medical assistance it might not by the help of a forced construction be made to extend.

The debate was adjourned till Monday.

INSOLVENT DEBTORS BILL.

The House went into a Committee on the Insolvent Bill.

The *Lord Chancellor* said, he could by no means agree to let the clause stand, which was inserted nearly at the end of the bill, for extending the benefit of the Act to "those who have been in prison since the 12th of February 1794, and who did not take the benefit of the former Act." A variety of reasons suggested themselves to his mind; why so sweeping a clause ought not to stand. He was aware it had been proposed in another place to limit its operation to all persons whose debts did not exceed 3,000*l.* but even that would not satisfy his mind. If it were necessary, much argument might be adduced to prove the impropriety of such a clause; he would state one sufficiently gross, to shew that it ought not to remain a part of the bill. Several persons might be in prison as debtors, from not having paid the damages awarded against them in cases of *crim. con.* In such cases want of means to satisfy the verdict was commuted for by imprisonment, which was in that instance to be considered as a part of the punishment for the outrage done, not only to the individual family whose happiness was disturbed and ruined, but to the community, and it was highly improper to let such men loose upon society after a degree of imprisonment by no means adequate to their crimes.

A Bill entitled, "The Penge Inclosure Bill" was, on the motion of Lord Auckland, ordered to be read on that day three months.

Lord *Grantly*, previous to the question, opposed this, thinking all the errors of the bill might be amended in the Committee.

The *Bishop of Rochester* concurred in the motion, and declared the bill was full of absurdities from beginning to end, and utterly incapable of correction; he instanced a clause, which gave a Mr. Morgan a right to buy the timber on the ground inclosed, at his own price, and to cut it down if not sold to him; and another clause, giving a compensation for

vicarial and rectorial tythes, of no higher amount than had usually been given for vicarial tythes only.

HOUSE OF COMMONS.

FRIDAY *July 14.*

Customs Duty, Lottery, Bank, Forgery, East-India Trade, Exchequer Bills, Militia Subalterns, and Clocks Duty Bills, were read a third time and passed.

The Clerk's Franking Bill was read a first and second time, and committed.

The Legacy Duty Bill was read a first and second time, and committed.

The House in Committees went through the Scotch Notes, Consolidated Fund, Stamp Regulation, Cavalry, Riding-Horse Duty, and Scotch Election Bills.

The Male Servants' Duty and East-India Courts Bills were repealed.

Some regulations were made concerning the mode in which the London Wet Dock Bill should be presented next sessions.

INDIA BUDGET.

The House resolved itself into a Committee of the whole House to consider the Finances of India, and the several documents upon that subject were referred to the said Committee.

Mr. Secretary *Dundas* stated, that although the finances of India were of a very extensive and complicated nature, he should not waste much time in their discussion, because the difficulties which existed formerly were now removed. Heretofore the accounts of some of the settlements were imperfect and confused, but by some prudent and necessary regulations which he had established, they had of late years been reduced he believed, to a tolerable state of accuracy and precision. The accounts which he was then about to submit to the Committee had been made out to the latest possible period, and so far as related to the explanation of their statements he proposed to follow the same plan which he had hitherto adopted, excepting that he meant to confine himself merely to their result, and not to enter so particularly as he had done into their detail. He left other Gentlemen, however, to make what observations, and propose what questions they thought proper. The papers were upon the table

table to refer to, if his statements should be incorrect, and whenever any difficulty should arise, he would readily endeavour to remove it. Having prefaced thus much, he thought it furthermore necessary to add, that he first intended to bring forward the results of the accounts applicable to each settlement separately, and then a general view of them combined. After that he should proceed to an examination of the house accounts, and, finally, shew the flourishing state of the Company's finances, by giving a comparison of the accounts presented this year with the estimate on which the arrangement of 1793 was formed. The abstract of each statement would, as usual, consist of three divisions; the first, containing the account of the average revenue of the three last years; the second, a comparison of the estimate and actual amount of the revenue and the charges during the last year; and third an estimate of charges and revenues for the present year. Having said thus much for elucidation, he proceeded to the following detail :

BENGAL.—REVENUES.

No. 1. The average revenue of Bengal in the three preceding years, that is to say, from 1793-4 to 1795-6 was — — — £.5,834,690

Which is more than the average last year by — — — 60,477

No. 3. The estimate for 1795-6 was — — — 5,631,278

The actual amount — — — 5,694,194

Being more than the estimate by — — — 62,916

CHARGES.

No. 3. Estimate for 1795-6 — — — 3,508,823

Actual amount — — — 3,656,944

Being more than the estimate by — — — 128,121

Deducting the excess of the revenue from the excess of charge, the actual amount of net revenue is less than estimated by — — — 62,205

The cause of this excess of charges, and consequent deficiency of the actual amount of net revenue was of so simple a nature, as to require little explanation. Though the estimate of the revenue of last year was taken at less than the actual amount of the preceding year, and the estimate of charges somewhat larger, yet every Gentleman would perceive the extreme difficulty in a time of war, and particularly a war like the present, to make up estimates with any degree of accuracy; and such had been the nature of the military operations in the East-Indies, as to swell the amount of charges beyond the usual calculation. But, however such charges

charges might be encreased, he trusted the recompence was fully sufficient, and therefore he could not consume any more time upon this subject, but proceed by reminding the Committee, that at any rate there was a net revenue, notwithstanding the encrease of charges, to the amount of 2,057,250l.

ESTIMATES, 1796-7.

The Committee would perceive by No. 1, that the revenues were estimated to amount to	5,710,511
And by No. 2, that the charges were reckoned at	3,733,860
So that the net revenue was calculated at	1,976,651
This estimate of the revenues was more than the actual amount of 1795-6, in the sum of	16,317
And the charges, in	96,915
Whereby the net revenue, estimated for 1796-7, would be less than the preceding year by	80,599

MADRAS.

The average of revenue in Madras from 1793-4 to 1794, could not be properly stated as at Bengal, on account of some receipts incidental only to particular years, and other circumstances which were explained upon the former statements. On forming an average, however, of the more prominent articles of revenue of the three years preceding 1795-6, it appeared that the revenues of that year exceeded the said average to the amount of

	132,976
No. 6. The revenues for 1795-6 were estimated at	2,024,030
And actually amounted to	1,894,304
Being less than the estimate in	129,726

CHARGES.

No. 6. The charges for 1795-6 were estimated to amount to	1,844,787
The actual amount was	2,123,579
Being more than the estimate by	278,792
Adding the excess of charges therefore to the deficiency of revenue, the actual amount was worse than the estimate by	408,578

Which deficiency of course arose from the same unforeseen and unavoidable circumstances to which he had before alluded.

ESTIMATES, 1796-7.

No. 4. The revenues of 1796-7 were estimated to amount to	2,159,402
No. 5. The charges to	2,005,225
So that the estimated net revenue would be	154,177

BOMBAY.—REVENUES.

No. 7. The Committee would see the average revenues of Bombay, from 1793-4 to 1795-6, were	294,937
Which was more than average stated last year, by	13,680
	No.

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No. 9. The revenues for 1795-6 were estimated at	-	-	-	-	269,766
And actually amounted to	-	-	-	-	277,596
Being more than was estimated by	-	-	-	-	7,820

CHARGES.

No. 9. The charges of 1795-6 were estimated at	-	-	-	-	718,901
And actually amounted to	-	-	-	-	732,875
Which was more than was estimated in the sum of	-	-	-	-	13,975
Deducting excess of revenue for the excess of charges, therefore the actual net revenue was left than estimated to the amount of	-	-	-	-	6,155

ESTIMATES, 1796-7.

No. 7. The revenues of Bombay for the current year were estimated to amount to	-	-	-	-	284,959
No. 8. The charges to	-	-	-	-	777,973
The net excess of charges, therefore, according to the estimates; would be	-	-	-	-	493,014
Which was more than the net excess of charges actually incurred in 1795-6, by	-	-	-	-	37,733

These were the three chief Presidencies to which the accounts abroad belonged, but to these were to be added the accounts of some subordinate settlements, such as Fort Marlborough, Pinang, and St. Helena, which in general received assistance from Bengal.

BENCŒOLEN and other SETTLEMENTS.

REVENUES.

The revenues of 'Fort Marlboro' on the average of the three years 1793-4 to 1795-6, were	-	-	-	-	5,021
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CHARGES.

The charges	-	-	-	-	78,835
The supplies from Bengal to Fort Marlboro', Pinang, &c. were estimated for 1795-6	-	-	-	-	81,780
The actual amount was	-	-	-	-	104,154
Which was more than was estimated by	-	-	-	-	22,374

SUPPLIES.

The supplies for 1796-7 were estimated at	-	-	-	-	90,364
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Having now proceeded separately through the whole of the accounts abroad, he now proposed to take a view of them collectively, in order to form a clearer opinion of their result.

GENERAL STATE of the REVENUES and CHARGES in INDIA, for 1795-6.

REVENUES.

Bengal	-	-	-	-	5,694,194
Madras	-	-	-	-	1,894,303
Bombay	-	-	-	-	277,597
					7,866,094

CHARGES.			
Bengal	-	-	3,636,944
Madras	-	-	2,123,579
Bombay	-	-	732,876
			<u>6,493,399</u>
Net revenues of the three provinces			1,372,695
From this was to be deducted the supplies, &c. to Bencoolen, &c. to the amount of			<u>104,154</u>
And the Committee would find the remainder			1,268,541
But a further deduction was to be made for the interest paid on the debts, which were,			
At Bengal	-	-	350,551
Madras	-	-	15,294
Bombay	-	-	48,905
Making a total interest of			<u>414,750</u>
The net surplus from territorial revenues therefore, after these deductions, would be			853,791
To which was to be added the amount of sales, of imports, certificates, &c.			<u>453,605</u>
And the amount applicable to purchase of investments, payment of commercial charges, &c. would then be			1,307,396
DISPOSITION OF THE SURPLUS FROM THE TERRITORIAL REVENUE.			
The application of the preceding sum,			
At Bengal, for investments, &c. including charges, were			1,459,547
Madras	-	-	669,765
Bombay	-	-	258,250
Bencoolen	-	-	13,453
Making a sum total of			<u>2,401,005</u>
Which exceeded the amount applicable from revenues, &c. as above, in the sum of			<u>1,093,609</u>

The cause of this excess of expenditure from the funds, applicable to the purchase of investments, &c. was easily explained. By the statements of last year it appeared, that there was an excess in the amount of the application in the usual way of 246,322l. which money, with the amount of the present expenditure, was employed not only in the purchase of investments and the payment of commercial charges, but was applied to the purchase of rice also, and to the profit and loss account upon internal trade. This however was not a full account of the investments, for the Committee would perceive that a part had been taken from the assets abroad, and comprehended in No. 22, under the title of

Cargoes invoiced to Europe in 1795-6 to the amount of - 1,954,153

He had now stated, he said, what the amount of the receipts and disbursements of the presidencies abroad were, both

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 both separately and combined, and he should next proceed
 to take

A GENERAL VIEW of the RESULT of the ESTIMATES.

REVENUES.			
Bengal	-	-	5,710,517
Madras	-	-	2,159,402
Bombay	-	-	284,959
The total amount of revenues therefore were			8,154,872
CHARGES.			
Bengal	-	-	3,733,859
Madras	-	-	2,005,225
Bombay	-	-	777,973
The total amount of the charges being			6,517,057
The net Revenues of the three Presidencies would be			1,637,815
But from these were to be deducted the supplies to Bencoolen, &c.			90,364
And the estimated surplus from the revenues would be			1,547,451
Still, however, a farther deduction was to be made for the interest on the debt of			419,344
Which would leave a sum for the net estimated surplus from the territorial revenues, of			1,128,107
To these were to be added the estimated amount of sales, of imports, and certificates			455,901
And the amount estimated to be applicable in 1796-7 to the purchase of investments, payment of commercial charges, &c. would be			1,584,008
Which would exceed the actual sum in 1795-6 by			276,612

He now came to the consideration of

THE DEBTS IN INDIA.

DEBTS BEARING INTEREST.			
The amount stated last year was	-	-	6,813,736
The amount this year was	-	-	7,146,083
So that there was an increase of			232,347
Debts transferred in the year			685,019
The amount of debts bearing interest last year was			5,328,862
And the amount this year			5,590,142
So that there was an increase of debt bearing interest to the amount of			261,274
The amount of interest payable by the accounts of last year was			400,252
The amount of interest payable this year			419,344
Which made increase of interest payable annually of			19,092

ASSETS IN INDIA.

The assets in India, consisting of cash, goods, &c. last year, amounted to	8,867,266
And by the present statements	8,958,669

By which it appeared there was an increase of assets to the amount of	91,403
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Deducting the increase of assets, therefore, from the above increase of debts, the Company's property in India was left by	240,944
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Which was not to be attributed to any ruinous state of their general property, but solely to a variety of temporary causes.

Having now gone through the whole of the statements relative to the condition of the Company's affairs abroad, he reverted to the examination of

THE HOME ACCOUNTS.

But before he did this he begged leave to remind the Committee, that when he first undertook to bring an annual account of the East-India Company's finances before the House, he confined himself to the detail of their affairs abroad, and was not responsible for their concerns at home. By the renewal of the charter in 1793, he was induced to extend his survey, because it became necessary to determine from the surplus of their territorial revenues, their assets and extent of capital, how much they could conveniently contribute to the exigencies of the State for the peculiar privilege of such benefits by the renewal of their charter. As the home accounts were immediately under the care and inspection of the Directors, it was but reasonable to suppose them accurate, and considering the nature of events, they would demonstrate that the general state of the Company's affairs at home were as favourable as could be well expected.

The sales of the last year had exceeded the preceding year in more than a million of money, and consequently it could not be expected that they should be by any means this year so productive. They had exceeded the estimate, however, notwithstanding the immense sale of Dutch goods last year according to act of Parliament, and the increase of sale of private goods enlarged by certain indulgencies provided by the Legislature, which together amounted to half a million more than the average of the three preceding years, and exceeded the average estimate of last year in the same amount.

The aggregate amount of sales was	-	-	8,252,309
exceeded last year 153,814			
The sales of Company's goods were estimated at	-	-	6,088,300
and actually amounted to	-	-	6,153,110

Which produced a greater sum than was estimated of	-	-	65,010
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The receipts on sales of Company's goods were estimated at	-	6,406,300
And the actual receipt was	-	6,370,077
Which was less than was estimated by	-	36,223
The charges and profit on private trade estimated at	-	148,000
and actually amounted to no more than	-	138,957
Which left a smaller sum on the charges and profits of private trade than was estimated, of	-	9,043

GENERAL RESULT.

The balance expected to remain at the end of the year was computed at	118,848
And the actual balance, after discharging a loan from the Bank, and receiving upwards of 600,000l. in Company's bonds, as the payment for goods	333,807
Which would be better than the estimate by	214,959

ESTIMATE, 1797-8.

The receipt for the sales of Company's goods for 1797-8, were estimated at	6,555,116
The receipt on private trade goods being only a balance of the last sale, no estimate could be made of that article.	
The result of these accounts was, that after paying the instalments on the loan to the Public, deriving the aid of increase of capital one million, the deficiency on the 1st of March, 1798, was expected to amount to	1,836,310

DEBTS AT HOME.

The debts at home in March, 1796, were	7,474,700
In March, 1797, were	7,916,459
The increase of debts at home therefore was	441,759

Which was occasioned principally by bills of exchange, and by freight and demurrage. By the sale of Dutch goods also, under the Act of Parliament, the Company was accountable to Government hereafter, and their debts at home were consequently rendered greater. Some other articles however had tended to diminish it, so that the balance was pretty equal.

ASSETS.

The assets at home and afloat on the 1st of March, 1796, amounted to	12,024,312
And on the 1st of March, 1797	12,476,813
Which made an increase of	452,501

Deducting the increase of debt therefore from the increase of assets, the state of affairs at home in 1797, appeared to be better by

10,742

- This led him to combine the affairs at home with

CHINA and ST. HELENA.

The balance last year in favour of the Company in China and St. Helena, was	581,174
And this year	337,713
Which was less than the preceding by	243,461

GENERAL COMPARISON of DEBTS and ASSETS.

The increase of debts in India was	-	-	-	332,247
The increase of debts at home	-	-	-	444,739
Which makes the total increase of debts	-	-	-	776,986
The increase of assets in India were	-	-	-	91,403
The increase of assets at home	-	-	-	452,501
Which made the total increase of assets	-	-	-	543,904
Deducting therefore the balance at China and St. Helena	-	-	-	
less this year than the preceding	-	-	-	232,961
The net increase of assets were	-	-	-	300,943
Which left an increase of debt to the amount of	-	-	-	475,633

The Committee therefore would perceive by a comparison of the accounts presented this year, with the estimate on which the arrangement of 1793 was formed, that his description of the flourishing state of the Company's finances was perfectly just. For although the charges of Bengal, Madras, and Bombay, had exceeded the estimate of 1793 in more than one million, the revenues were also near a million more, and the actual amount of the revenue, during such an extraordinary increase of expence and difficulty was only 402,805*l.* less than the estimate of 1795-6.

COMPARISON of ACCOUNTS presented this year with the ESTIMATE on which the Arrangement of 1793 was formed.

	Estimate February 1793	Actual 1795-6		Actual amount 1795-6 worse than Estimate
Revenues of Bengal, Madras, and Bombay	£. 6,963,625	£. 7,560,094	more	£. 596,469
Charges of ditto	5,182,125	6,493,399	more	1,311,274
Revenues more	1,755,500	1,372,695	less	402,805
Supplies from Bengal to Bencoolen, &c.	50,000	104,150	more	54,150
Interest on debts	561,923	414,250	less	147,673
Deduct	611,923	518,524	less than Estimate	93,399
Net Revenue	1,163,577	853,791	less than Estimate	309,786
Receipts from Sales of imports, & from certificates	350,000	453,605	more	103,605
Surplus	1,513,577	1,307,396	less than Estimate	206,181

The estimated surplus of 1796-7 was 1,584,008*l.* which exceeded the estimate of 1793 by 70,431*l.*

SALES and RECEIPTS.

RECEIPTS.

	Estimate 1793.	Actual 1796-7.
Opium sold	4,981,300	6,370,077

Charges

Charges and profit on private trade	—	70,000	138,057	
Alms houses at Poplar	—		2,413	
Interest on annuities	—	127,687	36,226	
Loan from the Bank	—		250,000	
Persons returned from India	—		10,000	
Chinturat cause	—		59,143	
On issue of bonds	—		450,100	
		<u>5,185,987</u>	<u>7,316,916</u>	more 2,130,929

PAYMENTS.

Customs on Company's goods	—	633,850	981,254	
Freight	—	600,670	1,423,853	
Export of goods and stores	—	1,017,000	1,301,205	
Bills of exchange and bullion	—	644,580	855,695	
Charges on merchandize	—	375,000	841,231	
Interest on bonds and stock	—	528,000	675,278	
Ditto on annuities	—	89,773		
Indigo contractors	—		1,999	
Purchase of teas	—		17,778	
Ditto of rice	—		12,433	
India debt	—		556,775	
Bonds paid off	—		1,250	
Ditto paid in at the sales	—		602,600	
Seamen for Government	—		17,000	
Buyers of tea returned	—		125	
Compensation to Captains	—		4,300	
To Bank for loan on bonds	—		400,000	
To Government, account of troops, &c.	—		100,000	
Ditto first payment of loan	—		200,000	
		<u>3,978,873</u>	<u>7,992,767</u>	more 4,013,894

Surplus receipts	—	1,207,114	675,851	
Excess of payments	—			
Net excess of payments				1,881,965

He had now he hoped proceeded through all the statements satisfactorily to the Committee, and begged Gentlemen to observe, that although there appeared to be a decrease in the state of the Company's affairs, they were notwithstanding as favourable and as flourishing as the most sanguine person could wish, or any one had reason to expect. Some of the causes of a diminution of revenue he had pointed out last year, one of which was a diminution in the sale of various articles, particularly that of opium during war; and the other, which was the most material and important, was the increased amount of charges, on account of the increased military arrangements in the various settlements abroad. He wished any person however who doubted his assertions, or might be disposed to doubt them, to compare the present state of the Company's affairs with their former condition, when their solvency was a matter of public dispute. In the year 1783, on account of the height to which party had run, every thing relating to their affairs was delusive. In 1786 the debts

of

of the Company amounted to 4 millions beyond the assets; since that time they had indeed encreased their capital 3,740,000*l.* but against that was to be placed the sum of 3,330,000*l.* as the expences of carrying on the war with Tippoo, and in the capture of the French and Dutch settlements in the East Indies. In the year 1796, it would be found that the affairs of the Company had been made better by the sum of 11 millions than they were in 86. He had every reason to suppose that the Company's affairs would rather improve than suffer any deterioration; for however Gentlemen might talk of the capital being in danger; he could assure them that the assets of the Company exceeded their debt by the sum of 6 millions. In regard to his assertion of the flourishing state of their affairs abroad, he begged leave to mention two circumstances which would prove him to be right. One was an encreased revenue on the sale of salt to the amount of 200,000*l.* per ann. though the natives paid a less price for that necessary article than formerly, which not only proved the flourishing state of the Company's finances to enable them to reduce the price, and yet derive a greater revenue from the general consumption, but an encreased population also. The other was a necessary regulation in the customs of several articles in the ports of India, by which the high price of customs on the specific article was reduced, the individual benefited, and the Company's revenues greatly encreased by the encrease of imports and of exports. These improvements in their affairs were exclusive of their capital of India stock, for it appeared by the statements that the assets abroad exceeded the debts to the amount of 660,000*l.* and if the whole of their affairs were wound up, they would receive an annual interest of 950,000*l.* It was impossible, he said, to figure a greater prospect of prosperity. In regard to the debts of the Nabob of Arcot, instead of throwing out a loose, idle, and logical jargon elsewhere, he wished any man who heard him would speak out, and contradict him if he could. The real state of the case was, that a certain sum to be paid annually to the creditors out of the revenue, was, by the treaty of 1784, in a time of war, to be applied to the public expences, in order to preserve the whole. This was a just an equitable agreement, and it applied to both parties. When peace returned, however, that sum returned to its original appropriation, and such was the order of the Commissioners, which, if they had not issued, they would have been guilty of direct plunder and robbery of the inhabitants of India. Having argued these points at great length, he concluded

cluded by moving a string of resolutions pursuant to his statements, which were read and agreed to, and the report ordered to be brought up next day.

The Stamp Deed Duty Bill was committed, and a clause introduced to enable the Commissioners to stamp bills of exchange or promissory notes prospectively where no fraud is intended.

Mr. *Wigley* moved an amendment to make that power retrospective.

The *Solicitor General* objected, because a person might have accepted or indorsed the bill when he had assets in his possession, and afterwards be obliged to pay it when the drawer had recovered those assets in consequence of the invalidity of the bill, for not being duly stamped.

Sir *W. Pulteney* and Mr. *Wigley* disputed the sufficiency of that objection, when the original clause was put and carried.

INFERIOR GOLD.

The *Chancellor of the Exchequer* moved the order of the day for the committal of the Bill for allowing the manufacture of an inferior kind of gold, to be read; which being done, he said that he was still as much convinced as ever of the propriety of adopting a measure of that kind. But as it had been represented to him that it was necessary to allow a longer time to consider a business of such importance, he would put off for the present any further proceedings in the bill; but he certainly would bring it forward next session. As the present session was so near its close, there did not appear to be a sufficient opportunity to discuss the bill; and therefore he would move that the order of the day be discharged. This was done accordingly.

HOUSE OF LORDS.

SATURDAY, July 15.

The House sat precisely at twelve o'clock, and as soon as prayers were over, proceeded to business.

The order of the day being read for the second reading of the bill, allowing foreign nations, in amity with Great Britain, to trade to British ports in India; and for Counsel to be heard on the same.

Mr. *Law* was heard on behalf of a petition presented by certain merchants, underwriters, and others, praying for an alteration in a particular clause, which the petitioners considered

dered as likely. from the general terms in which it was drawn, and the loose wording of it, materially to affect their interests in a cause long depending, the ground of which was the validity of a policy of insurance. After arguing for some time, and stating what sort of construction the clause, as it stood, was liable to, though he admitted it was not the fair construction, he suggested an alteration, which would effectually remove the doubt.

Lord *Thurlow* and the *Lord Chancellor* severally stated in what point of view the clause, as it stood, struck them, and in what manner they considered it as likely to be affected by former repealing acts. They admitted the propriety of clearing up any possible obscurity that there might be in a bill under passage through Parliament; and desired to have the words of the amendment suggested by the learned Counsel put into writing, in order that the amendment, and the grounds of it, as stated at the bar, might be considered, when the bill should be in a Committee.

INDIA JUDICATURE BILL.

The order of the day for the second reading of this bill having been moved and read, with the order that Counsel might be heard against it, on behalf of the East India Company,

Mr. *Rous* was heard on the part of the company, and stated that the company considered the present bill as a violation of the solemn compact entered into between the public and the Company on the renewal of the charter in 1793. That they had ever since rested upon the faith of Parliament as a security against any departure from the conditions on which that charter was granted. That the extension of the courts of judicature was a departure from the statute of 1794; but that what most of all alarmed the Company was the institution of a pension list for the judges, the pensions to be granted by the crown, though payable from out of the Company's revenues; and at the end of a duration in India of so short a time as five years, if the servants of the crown thought fit to grant them. Mr. *Rous* stated the period of the institution and existence of the supreme court of Judicature; and said, though the reason for limiting the judges to three, could not be known to him, yet as it happened in consequence of the death of Sir William Duncan, that only three judges had sat for the space of fifteen years together, there could be no objection to having only three judges on the bench of the supreme court; but the objection the East India Company felt, was to the appropriation of the salary of the fourth judge to the payment of the pensions in question. He pointed out

out the the manifest difference between the establishment of the judges in India, and their establishments in England. A puisne judge in India had a salary of 6000*l.* a year, which was three times as much as all the emoluments of a puisne judge of Westminster hall; and the supreme judge in India had a salary of 8000*l.* a year.

Lord *Thurlow* asked whether it was not more, and how the learned Counsel computed the rupee, as he had always understood it was a fifth or a sixth more?

Mr. *Ross* said, he believed it was a fifth more. He observed that it had been generally conceived, as for the sake of decorum a judge should in some sort live a retired life, that the income of judges in India, would, after a due time spent in the exercise and discharge of their duties in that country, not only be sufficient to enable them to return home with a moderate income, but fully competent to their comfort and support, for the remainder of their lives. If, however, their Lordships should think it right to allow the clause to stand as far as it regarded pensions, the company earnestly prayed it might be altered: and instead of the grant of these pensions being at the will of the king's servants, that it might depend upon the address of either House of Parliament, which they conceived, would secure them, from the possibility of abuse.

Mr. *Jackson* was next heard on behalf of the East India Company, and took a general view of the peculiar claims of the company to the protection of Parliament, in consequence of paying so large a sum annually to the public revenue; of their having at their own expence maintained those immense armies that had been the means of securing so large and valuable an extent of territory in India to the British empire; of their still being supported for its preservation; and for various other reasons so important, that let who would have to carry on negotiations for peace, they would have carefully to consider what was best to be done for preserving to this country that great and glorious position in Asia, for the acquisition of which Great Britain was solely indebted to the purse and arms of the East India Company.

He reminded their Lordships also, that the public had been admitted into partnership of an extraordinary nature with the Company, with an appropriation of 500,000*l.* a year; partners who had undergone no risk, who had adventured no capital, who had only to stretch out the hand to receive their portion of the profit, large as that portion was. The House had formerly been addressed by the Company, under the name of Di-

rectors; they were now appealed to by the entire new East India Company, the Directors and proprietors uniting in their application, and jointly coming to their Lordships bar, to claim that protection, to which they conceived themselves for the reasons he had stated, to have some claim of a peculiar nature. After an eloquent exordium to this effect, but much more copious and attractive, Mr. Jackson proceeded to shew, that the Company had gone on cordially and prosperously under the institution of the Board of Controul, since the present was the first petition from the day of its origin 1784 to the present time, claiming relief against a measure proposed by that Board; but that the Company objected to a particular clause in the bill as a violation of their charter, and as a measure deeply and dangerously impolitic. By the charter of 1793, an appropriation of the Company's revenues was made, and no right existed even in Parliament, omnipotent as it was, differently to appropriate those revenues, unless it meant to set charters and solemn compacts at defiance, and take away all security existing between the governors and the governed. He contended against the clause enabling the King's Ministers to institute a pension list, on the ground also of its establishing a principle equally unjust and injurious, as it would be a precedent not only dangerous to the Company's interests, but affecting the independency of the judges, who for their own sakes, as well as that of the public, ought to have the integrity of their conduct, and the purity of their motives kept above suspicion. After much forcible argument on this head, Mr. Jackson concluded with earnestly recommending the proposed alteration of the clause suggested by his learned brother, to be adopted by their Lordships.

The bills on the table passed each a stage.

HOUSE OF COMMONS.

SATURDAY, July 15.

The House met at an early hour and went through the orders of the day.

The bills upon the table went through their different stages without opposition.

The *Chancellor of the Exchequer* stated, that very considerable inconvenience would arise from the wet dock Committee not making their report this session. He expected that a motion would have been made on this day for a report of

its proceedings, but as no motion had been made he gave notice, that on Monday next he will make a motion to that effect.

The bill to enable his Majesty to call Parliament in fourteen days after the issue of a proclamation, was received from the Lords, read a first time, and ordered to be printed on the motion of the Chancellor of the Exchequer.

Adjourned.

HOUSE OF COMMONS.

MONDAY, July 17.

Mr. Tate took the oaths and his seat for Stirling Burghs, &c.

Mr. Rose moved, "That an humble address be presented to his Majesty, praying that he would be graciously pleased to confer some dignity in the church on the reverend William Busby, the chaplain of the House." Ordered.

He moved addresses from printing the Journals, and several other matters which are considered preparatory to the ending of the session.

The Chancellor of the Exchequer moved, that the sum of 1000*l.* be advanced to Mr. Samuel Dunn, over and above what he had received, and in full compensation for making an index to the proceedings of the House of Commons, from the year 1774 to the year 1790.—Ordered.

A new writ was ordered to be issued for the county of Northampton, in the room of Thomas Powis, Esq. who has accepted of the stewardship of the chiltern hundreds.

The Chancellor of the Exchequer moved, that the Committee to whom the London wet dock bill was referred, do lay before the House the minutes they have taken, &c.

This produced a short conversation, which was supported by Mr. Browne, Sir W. Pulteney, Mr. Alderman Curtis, Mr. Manning, and the Chancellor of the Exchequer; after which the motion was agreed to.

On reading the order of the day on the bill to empower his Majesty to call Parliament together at all times in fourteen days after proclamation, &c.

Mr. Wigley suggested the propriety of postponing the bill until after the other orders of the day were disposed of, as he apprehended there would be some difference of opinion upon the measure. It was postponed accordingly.

The following bills were read a third time and passed. The

bill for an addition duty on horses kept for pleasure. The bill for allowing banks and banking companies to issue small notes in Scotland. The bill to prevent certain public officers of revenue to vote at elections in Scotland. The bill to enable commissioners of stamps to affix the proper stamps to deeds and other instruments, upon payment of the duty and a certain fine. The bill to explain and amend the legacy bill, and the consolidated fund bill.

The bill to allow the deputy clerk of the House of Commons to send letters and packets free of postage, passed a Committee of the whole House, the report was received immediately, and the bill was ordered to be ingrossed.

SHORT NOTICE FOR CONVENING PARLIAMENT.

The order was then read upon the bill for altering the length of notice of calling Parliament together by his Majesty's proclamation.

The *Chancellor of the Exchequer* was desirous that this bill should go before a Committee of the whole House without delay, as he had mentioned on a former occasion, and therefore he moved, that the Speaker do now leave the chair.

Mr. *Wigley* observed, that it appeared to him there was no particular necessity for this bill at this moment, so that he saw no reason to press the House upon it at so late a period of the session, and that too when it was difficult to form a House. Indeed it appeared to him a little odd that the Chancellor of the Exchequer should move that this bill should be read a first and second time in one day, which implied haste; and again that he should move to have it printed, which implied leisure. He did not wish to impede the other business of the House, and that was the reason why he desired that this bill should be postponed until after the other business was gone through; had he opposed it then, and there had not been in the House a sufficient number to constitute a House, the division must have occasioned an adjournment. He did not know why this bill was now introduced. It gave to Ministers the power of calling Parliament together after a prorogation within 14 days, in all cases in which they might think proper. That they should be so called together in case of rebellion or invasion, or imminent danger of invasion, was right; but to give this power to the Minister to be exercised at his will and pleasure did not appear to him to be prudent; and even if it was thought that, considering all circumstances, such a measure ought to pass, yet he thought the matter much too important to pass in so
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very late; a period of the session, and so very thin a House. Had he known that such a matter as this was to be brought forward, he should not the other day have given up his motion for a call of the House. He objected therefore to the Speaker leaving the chair.

The *Chancellor of the Exchequer* was surprised at the opposition that was offered to this bill; it could not be on any ground of constitutional jealousy of the House against the Executive Government, for it only gave a power of calling Parliament together, not of doing any thing without the advice of Parliament. He thought that according to modern improvements in travelling, and the celerity of all communication from one part of this country to the other, 14 days gave notice sufficient for the meeting of Parliament; no more time was ever allowed to enforce a call of the House, and he saw no reason why more should be given in this case; he confessed that he thought the Executive Government ought to have this power to call for the aid of other branches of the legislature; he did not consider it as a power that ought to be exercised, only in case of rebellion or invasion; but he confessed freely he thought it ought to be made matter of general regulation, and still more so under the present circumstances, for many and very important events might happen, in which the Executive Government would want the aid of the two Houses; one of two things must be done, and the House would judge which of them would be the most convenient; either to give this power to the crown, or else be subject to the inconvenience of continuing the session from time to time by short adjournments, that was to say, not to put an end to the session at all; for these reasons he hoped there would be no further opposition to this bill.

'Sir W. Pulteney said, that if this bill was to be considered as a general measure, he very much indeed doubted the propriety of it. As a temporary measure, he should have nothing to say against it, because the circumstances of the times might make it necessary. But as a general measure, he must oppose it, for there might be cases in which the power the Minister would have by this bill, might be extremely dangerous. He did not like the idea of the whole parliament being called at the will of a Minister in fourteen days, in any case which he might think fit to call them together from distant parts of the country, to hear what he had to say to them. He had so much objection to this bill that he must divide the House upon it.

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The *Chancellor of the Exchequer* said, that as the honourable Baronet was ready to assent to this as a temporary measure, although he objected to it as a permanent one, that appeared to him to be an argument for going into the Committee. But he would declare freely that he should persist in calling upon the House to make this a permanent measure, because he was convinced of its necessity.

As there were not a sufficient number of members in the House there was no division, but an immediate adjournment.

HOUSE OF LORDS.

TUESDAY, July 18.

Read a third time, and passed the insolvent debtors', and a number of other public bills, and ordered them to be sent to the Commons.

Received also from the Commons several bills, which were read a first time.—Adjourned.

HOUSE OF COMMONS.

TUESDAY, July 18.

Mr. *Manning* brought up the report of the Committee on the wet dock bill, which was ordered to lie upon the table.

The deputy clerk of the House of Commons franking bill was read a third time and passed.

The bill for granting to his Majesty the power of granting conditional pardon to persons under sentence of naval courts martial was read a third time and passed.

SHORT NOTICE FOR CONVENING PARLIAMENT.

The *Chancellor of the Exchequer* moved, that the House resolve itself into a Committee of the whole House on the bill to enable his Majesty to assemble Parliament at fourteen days notice.

Sir *William Pulteney* said, he had no objections to the bill as a temporary measure, but he had a great many objections to it as a permanent one. He hoped that the House were not so deficient in respect for their ancestors as to suppose that they had acted wrong for such a number of years in abiding by the present regulation. It was contended now that fourteen days were a sufficient notice, but was a notice all that was required?

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Was it supposed that members of Parliament were to be perpetual drudges in the service of the public, and that they were to dedicate no part of their time to their own private concerns? This never was the situation in which parliament was intended by the constitution to be placed; they were appointed as representatives of the people for the purpose of meeting on great occasions to controul the Executive Government. The present bill would put them upon the footing of a military corps, ready to be called out by the Minister at a moment's warning. If the militia could be called out in time of peace at the orders of the commanding officers, no gentlemen of independent fortune would accept of a commission in the service, and in the same manner, if this new regulation was adopted it would banish gentlemen of fortune from Parliament. It might be said, that they might rely with safety upon the discretion of the Minister; but why trust to that discretion? The bill now before the House would prevent a number of members of Parliament from going abroad; in short, it would put them entirely on the footing of a standing army under the command of the Minister. Another observation which he thought it his duty to make was the mode in which the bill had been introduced into the House, namely, after it had been passed by the Lords. He thought it was not at all fitting that such a bill as this should have originated with the aristocracy of the country: he knew that the Lords might legally originate any bill excepting a money bill; but what was legal was one thing, and what was decent and decorous was another. At all former periods when any infringement of the constitution was deemed necessary, it was done at first by way of a temporary measure, for instance, the militia act, and Mr. Grenville's act, were at first only passed as temporary measures; but in the present instance the infringement was to be rendered perpetual; for these reasons he should give his hearty opposition to every stage of the bill. It might be said that all the objections he had stated, might be removed by going into a Committee; but the Chancellor of the Exchequer had already announced his determination not to alter any of the clauses of it, and he knew too well that at this period of the session, a Minister could get any measure passed just in the form he thought fit.

The *Chancellor of the Exchequer* professed himself much at a loss how to enter into the discussion with the honourable baronet. He had often heard that nothing was more unsafe in argument than to reason upon a simile or a metaphor, and he now found that it was unsafe in proportion as it was uncommon in the

Speaker

Speaker to make use of them. The honourable Gentleman had hit upon a figure last night to which he thought proper to compare the regulations of the present bill. He had thought upon it and slept upon it, and still it held possession of his mind that parliament was about to be put under regulations, corresponding to martial law. He did not think that any one who was not as much attached to the figure as the honourable baronet would be able to trace any resemblance between them. The bill did not go to vary the power vested by the constitution in the Executive Government; all that it went to was merely to narrow the time in which that power might be exercised. The question then was simply this, whether fourteen days was a sufficient notice to members of Parliament? That it was sufficient the practice of the constitution already established, by giving the king the power of assembling Parliament upon that notice, when the militia is called out, or in cases of actual rebellion. The honourable Baronet urged the propriety of not departing from the usage of our ancestors, forgetting the modern improvement in the conveyance of letters and travelling by post, by which a shorter notice was become equivalent to one of greater length in former times. And was there any resemblance in substance between the king calling Parliament to consult them upon the affairs of the nation, and putting them under martial law? Still less could it be an objection to the measure, that because two or three members wished to go abroad to spend the summer in another country, that his Majesty should be deprived of the advice and assistance of the legislature at a critical conjuncture. As to the observation, that it was indecent that it should originate in the House of Lords, as its provisions were common and equally applicable to both Houses of Parliament, he saw no indecency in its originating in the one more than in the other. He hoped, therefore, that the object of the bill would not be frustrated by a fanciful and metaphorical objection.

Mr. *Wigley* opposed the Speaker's leaving the chair, upon the grounds with Sir W. Pulteney.

The House divided.

<i>Ayes,</i>	—	—	—	—	49
<i>Noes,</i>	—	—	—	—	3
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				<i>Majority,</i>	46

The bill passed through the Committee, was reported, and read a third time, after which the House adjourned.

HOUSE

HOUSE OF LORDS.

MONDAY, July 17.

SCOTS APPEAL.

The *Attorney General* was heard in reply finally on the part of the appellants in the case Scott, Moncrieffe, and Dale, v. Hounstoun, Macdowell, and others. After which, their Lordships, on the suggestion of the Lord Chancellor, (who stated the great difficulty that took place in coming to a decision upon the occasion), affirmed the judgment of the Court of Session.

The case of Newland and Smith, which is of considerable importance, was, on the recommendation of the Lord Chancellor, deferred until next Session.

The various bills upon the Table were forwarded in their respective stages.

SURGEONS' BILL.

The order of the day for the third reading of the Surgeons' Bill having been moved and read,

Lord *Thurlow* rose, and went very much at large into a consideration of the bill, and of the singular circumstances that had attended it since he happened to be at all acquainted with it. He said there never, he believed, had been a case in which a stronger disposition to take Parliament by surprise had been shewn, a matter that all times ought to be regarded as a reasonable ground of jealousy and suspicion. The Bill had certainly passed the other House, and gone through two stages in their Lordships' House before it challenged much observation; his first acquaintance with the business was purely accidental, and arose from the circumstance of his having heard that the Corporation of Surgeons had purchased a large house in Lincoln's Inn Fields for the purpose of dissection, which was complained of by the very respectable inhabitants of its neighbourhood as a great and most filthy nuisance; and a beastly nuisance it undoubtedly was. He objected to the bill's passing in its present form, because he had not had any reasonable opportunity of discussing it; and he was certain other noble Lords, who objected to the bill, stood precisely in the same predicament with himself. It had been boasted of by some of those noble Lords who supported the bill, that this bill had had the singular honour to pass through three committees; he knew it had somehow or other rubbed through three committees. He could not say what had passed at all of them, because he had not been present at each, but in the committee that he did attend, he heard a single witness examined, Mr. Okey.

Belfair, and he deposed that since the year 1745 London had increased in extent and population, and that a great number of additional houses had been built. He found also some noble Lords, deeply engaged in profound disquisitions of rather an extraordinary sort, considering the subject before the committee. He even heard mention made of Aristocracy, Democracy, Ochlocracy, and all the learned terms of speculative policy. For his own part, he did not consider Aristocracy as the best of all possible forms of government; but he was rather more inclined towards it, and thought better of it than of either of the other two, Democracy or Ochlocracy. With respect to the new-classed Jacobins, the petitioners against the Bill, though no friend to Jacobinism, he thought the Jacobins, as they were termed on this occasion, who came forward to resist the tyranny of the few who wanted to get all the power into their own hands, deserved some mercy. The term Jacobin indeed, in this case, did not signify much, not more than when children in the street cry out "A mad dog!" to frighten passengers. He assured their Lordships that he had no connections with the parties on either side, and did not care three farthings, as far as respect to them went, whether the bill passed or not. He knew little of the surgeons before the bill came into the House, and from what he had the misfortune to have been obliged to know of some of them, he was disgusted completely, and was not desirous of knowing much more about them. He looked to the bill merely with a view to the public, and as it was essentially connected with the health and well-being of mankind; considerations well worthy the serious attention of every one of their Lordships. Indeed the whole of the bill was a miserable and wretched performance, in which the arrogance of the provisions maintained an equal contest with their absurdity. He saw no necessity for erecting the Corporation of Surgeons, which was a Livery Company within, and belonging to the Jurisdiction of the City of London, into a college, with all the high sounding titles of President, Vice-Presidents, Censors, Fellows, &c. that belong to a learned Body; every man must see that if this bill passed, what would be the consequence: their elder brethren, the Barbers, would come forward next year, and desire to be made a College also; and if these younger brothers were so constituted, it would be impossible to deny the same favour to the parent stock; for these surgeons were nothing more than a scion from the Barber Surgeons' Company. The Barbers and Barber Surgeons were erected into one Corporation by the Thirty-second of Henry VIII., confirmed by the Fifth of Charles I., and made two separate and distinct corporations
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by the Eighteenth of George II. It was assigned, among other reasons for this separation, that it was not proper that those who were going about among foul disorders, handling ulcers, curing the itch, the pox, and putrid sores, should be allowed to wash people's faces, and scratch their beards. The surgeons, therefore, for the sake of public convenience, and in compliance with their own wishes, and at their own desire, were made a distinct corporation, yet on the same principles as the barbers were a corporation, and they were described in the Act of Parliament *ipsis terminis* as the Barbers were. They were therefore clearly a corporate trading Company, and a part of the City of London, though the contrary had been asserted; but no harrister of three years standing could have been so ignorant as to have said so.

If the Bill was to pass, he should move several alterations; one he had submitted to the Committee, where it had been over-ruled—it was a clause entirely to annul the Corporation of Surgeons instituted under the Eighteenth of George II., and to erect a royal college, independent of the City of London, in its place. He knew not what answer to give to the demand of instituting such a college as that under the present bill would be—at once a college and a trading corporation. By the principles provided for by the Bill, the College of Surgeons under it would form one of the most extraordinary, useless set of learned men that ever were hung round the neck of learning. The absurdities and contradictions of this wretched bill were, so obvious, that several noble Lords had tried in the Committee to offer means of amelioration. Various regulations and amendments had been suggested, and it was understood at the time that they were to be adopted and inserted; but they, nevertheless, were not to be found in the bill. How this happened was to him astonishing, as the noble Prelate who sat in the chair of these committees, had generally manifested great attention, and filled the chair with equal advantage to the House, and credit to himself. His Lordship declared he saw no reason upon earth for hurrying the bill through the House, compared with the risk of detriment to the public, that, without very great alterations, it would infallibly produce.

He said, he had much objection to the clause confirming the existing bye-laws, because several of the bye-laws of the Company appeared to be most absurd. By one of these bye-laws no surgeon was to practise pharmacy, or midwifery, or other trades; if he did, he was excluded from being an examiner, or from office or rank in the college. What was to be understood by *other trades* he was
utterly

utterly at a loss to imagine, unless it was meant that they were not to be carpenters or farriers, or to carry on trades of that description. It was a restriction equally oppressive and ridiculous; and as this restriction necessarily extended to aurists, oculists, and dentists, he was somewhat surprised to find Mr. Jonathan Wathen's name in the list of the first councillors of the corporation named in the bill; but he had been told that he might be well assured Mr. Wathen would never get a step higher, and must neither hope to be a Censor, a Vice-President, or a President. Thus because an individual, by dint of deep study, profound enquiry, and successful experiment, had made himself capable of curing the disorders incidental to the most delicate organ of the human frame, about which, comparatively, the whole of the members of this learned Corporation put together knew little or nothing (for he was himself an unfortunate witness what a miserable bungler a mere surgeon was when he meddled with the eye), he was to be excluded from that distinguished rank and situation in the Corporation to which his own superior skill and knowledge entitled him in preference to his fellows. Why pharmacy was not to be practised by a surgeon who was to be an examiner, was also to him a most unaccountable head of objection. The surgeons of the Navy, as well as those of the Army, were to pass under the sanction of the examining surgeons of the Corporation; and what sort of a surgeon for either Army or Navy would that man prove who was unacquainted with pharmacy? What was still more absurd, these examiners also were to examine the medicine chests, and yet they were not to touch medicine, or to know any thing about it. In short, he did not know what they were to do fit to qualify them for their office. The Corporation professed the healing art, while they rejected the very means by which health was to be restored. Their Lordships indeed, who lived in affluence, might, when indisposed, well afford to have their physician, surgeon, and apothecary distinctly attending them, and administering their respective assistance as long as they could persuade them to keep their beds; but to feel the injurious effect of such absurd regulations, their Lordships must look a great deal lower than themselves. Let them consider the situation of the middling ranks and of the poor. How could they procure an alleviation of their distresses if such regulations were to be enforced? and that was a consideration entitled to their most serious attention when about to pass a bill of that nature. Above all their Lordships were bound to take care of the poor soldiers and sailors, who had fought the battles of their country, and received wounds in its service, and

to do something more in behalf of those surgeons of the navy and army who had gone through the fatigue and risk of attending them and administering relief and assistance to them while fighting abroad, than the shabby provision of the statute, which allowed them to set up in any market-town in England, after having been twelve months in the public service amounting to. These men ought by no means to be thrown on the presumptuous body, proposed to be created into a college, but were well entitled to some peculiar honour and favour for their valuable services to their country. If the bill went on he certainly should consider it incumbent on him to propose several additional clauses and regulations, and one that he should press the most earnestly, because he thought it absolutely due from the country, to the description of meritorious men he had just mentioned, would be a clause in their favour. On what ground of reasonable justice also was it, he also desired to know, that if the bill gave to the small number of members of the college, mentioned in it (with the election of two others, to be chosen by themselves) sovereign right of the supervisal, controul, regulation, and management of all the concerns of the corporation, and power to alienate its property, funds, cash, &c. without any check whatever, to guard against abuses, to which the proposition of such immense uncontrouled power held out temptations almost too strong for the fallibility of human nature to resist?

Another most unnecessary and scandalous power to be given to the new College, under a bye-law, was the right to demand 27l. for a diploma. It was shameful that the health of the public should be taxed in this manner, and however able their Lordships might be to bear all the aggravated expences, that this bill would throw on the attendance of their surgeon, it was hard indeed, to grind the face of the poor to the bone; if therefore the bill were to pass, he should move that the price of a diploma should be reduced to five pounds, which he thought amply sufficient. Indeed 27l. for a diploma was so exorbitant a demand, that no man but a surgeon could have thought of suggesting it.

The clause of the bill extending the jurisdiction of the corporation of Surgeons to "ten miles distant from London and Westminster and enacting that whoever should practice surgery, by word, or writing, or sign, without a diploma of the College, should forfeit and pay the penalty of ten pounds, for every month that he or they should so practice," was a most iniquitous, merciless, and oppressive clause. In the first place the words "who should practice surgery," were most indefinite and inexplicit, calculated to warrant as many litigations

as the malice of the College might be prompted to institute: What was surgery? it clearly was not a science. What was it then? It would, he believed, puzzle any man, who wished to be understood, and was able to convey clear ideas, to say distinctly what it was. In the next place, he supposed practising by *word*, meant by *incantation**, a pretty extraordinary species of practice, to be alluded to, in these enlightened times. As to practising by *sign*, the fact was, that, by a statute still in force, the barbers and surgeons, were each ordered to have a pole at their doors, by way of sign, and as an emblem of their trade. The barbers pole was to have either blue, or red and white stripes, and nothing more. The surgeons pole was to have similar stripes, and porringers with red rags at the bottom, and strings of teeth annexed, hanging to them, to denote their particular vocation and trade; and if the bill was to be carried on, he would certainly move, as one of the amendments he should have to propose, that the surgeons should erect their ancient pole, porringers and teeth, to shew that they carried on their trade with the legal sign. But exclusive of the enormous and unreasonable expence of purchasing diplomas, and the money it would produce, which would be twice, or thrice as much, nay, would be quadruple beyond what the reasonable purposes of the institution could possibly require, under the clause for extending the jurisdiction of the College, all manner of persons practising surgery, and all that might be comprehended under that indefinite term without a diploma, would be liable to forfeit 10l. for each and every month, on conviction of having practised those branches which the regulations of the College proscribed; and that there might be no bounds to the malice of the College, and the malignity of their prosecutions, the suits were to be carried on at the expence of the corporation, who were to recover full costs upon conviction. It was needless his Lordship said, to enter into a detail of the laws respecting costs, but the mere costs recovered by the prosecutors on an action of debt for 10l. might reasonably be estimated at 50l. taxed costs, and as the costs of the defence would, at least, be 50l. more, the costs on both sides, would amount to 100l. (which might be multiplied by suing for several penalties) a sum so large, that it might entail utter ruin on a man and his whole family, who might happen to become the victim of the malice and tyranny of this despotic and arbitrary College.

With regard to the fact of the Company of Surgeons having disposed of their hall, and bought at a high price a house in

Vide 3 Henry viii. cap. 14.

Lincoln's-

Lincoln's-Inn Fields, for the purpose of dissection, an object which had been defeated, by the remonstrance of a most respectable inhabitancy, with which he was well acquainted, if this Corporation were not so favourite a body, he had no doubt but their Lordships would agree with him, that they had acted most improperly, and that they ought to be sent back with their beastly nuisance to the place from whence they came, as near to Newgate as possible. With this view he had moved in the Committee that they should be obliged to procure a place for the purpose of public dissection within one hundred yards of the ordinary place of public execution for the Cities of London and Westminster. That motion had been over-ruled, and a noble Lord (Lord Auckland) had proposed three hundred yards, instead of one hundred. He added, that he had no doubt, if the bill passed, but that it was meant they should use their newly purchased house in Lincoln's-Inn Fields for the purpose.

His Lordship said that upon a full consideration of the bill, it was so wretched a performance, so contradictory to its principle (or at least what it avowed to be its principle,) in its clauses, the provisions of it so little accorded with the preamble, and in short the whole of the bill was such a jumble of absurdities, that he could only consider it as a farce, a downright farce, not fit to go forth to the world as a performance sanctioned and approved by so grave an assembly as that he was then addressing; he therefore conjured their Lordships as gentlemen as well as Peers, to ask themselves seriously, whether it would not be more advisable to postpone passing any bill on the subject that session, and deferring it till the whole matter of it could be better digested, and till a bill less free from objection, less oppressive, and more practicable, as well as more useful to the health and well-being of mankind, could be introduced.

But it was said great expence had been incurred by the Corporation of Surgeons in prosecuting this bill, and yet when an argument was used in the Committee, by a noble Friend of his, a noble Duke not then present, (the Duke of Bedford) with respect to introducing a clause to exonerate the petitioners against the bill for the expence they had been at in their opposition to the bill, what was the insolent answer given by one of the warmest advocates for the bill, and one of its most earnest supporters "That's their object, give them fifty pounds and you'll hear no more of their opposition? Admit such a clause and it will encourage opposition." Encourage opposition!

position! Would their Lordships then discourage opposition and drive from their bar, men who came to claim their protection against a bill, that was to take away their property and annihilate them at a single stroke? To parties opposing a bill who were men of honest fame, and high professional reputation, and who had an obvious right to oppose it, because their prospects, their freedom, and their dearest interests were involved in it, no man but the insolent answerer would have thought of applying such an observation, and he was convinced the House never would consent to act so unjustly as to transfer (to use no harsh term) the property of any description of men without their consent, but to talk of the expence that an opulent Corporation would have sustained, and would have to incur if the bill did not pass, and they were obliged either to come again to Parliament, or apply to the Crown for a patent to revive their functions, was too idle and ridiculous to deserve a serious argument.

In opposing the bill, his Lordship again assured their Lordships that he had no other object than the public good. Nothing else should have induced him to have come down to the House on that miserable day, a day when the Dog Star rages, to be oppressed with heat and spend his breath perhaps to very little purpose. He knew neither of the parties, and had nothing to do with surgeons, as he hoped he had lived to the day, when the assistance of a surgeon was not likely to be much wanted by him. But for the reasons he had stated, he should conclude with moving "That this bill be read a third time that day three months."

Lord Auckland said that previously to adverting to the very remarkable speech of the learned Lord, he must express to the House his regret for the absence of the right reverend Prelate (the Bishop of Bangor) who had taken the lead in conducting the bill through its several stages, and who had been the chairman of the three Committees, in which the bill had been discussed. As the right rev. Prelate's absence was occasioned partly by ill health, and partly by a domestic calamity, it was become a proceeding not only of consistency, but of just sentiment, for those who had concurred in the measure to step forwards, and to state the motives which had influenced their opinions. It was at least certain, that the supporters of the bill had not acted under an ignorance of the learned Lord's objections. The learned Lord complained indeed that he had not had any reasonable opportunity of discussing what he was pleased to call "this wretched performance."

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The learned Lord alone could say what ~~some~~ he meant to affix to the indefinite phrase of a "reasonable opportunity;" but it was most notorious that in the second and third committee the learned Lord had declaimed against the bill day after day, and hour after hour, with the same earnestness, and with the same mixture of invective and of pleasantry which he had exhibited in the present debate. It was equally notorious that the learned Lord had not had the good fortune to make any impression on the committees: and yet the number of Peers present at those committees was greatly more than what now appeared in the House, and was composed of individuals of the greatest respectability in every point of view. Unfortunately for the bill, its numerous supporters were dispersed by the advance of the season, and by their avocations into the country: its few adversaries were collected, and now present; by what solicitation, or through what influence, he would not condescend to enquire. The learned Lord had inveighed against the activity and importunities which had been exerted by the petitioners for the bill; he seemed not to know that his allies against the bill had also had recourse to a most plentiful use of personal applications, petitions, hand-bills, letters, and advertisements.

For his own part, he had stood clear of every influence or prejudice in the business. He had no connection nor personal acquaintance with any individual of the proposed college: and certainly in a twenty years' experience there had occurred no subject of parliamentary discussion respecting the fate of which he had felt so much unconcern and indifference. And when he listened that day to the learned Lord, the earnestness and warmth of a great mind on a little point would have amused him much, if some parts of the speech had not appeared injurious to a profession, which (to borrow the learned Lord's words) is "essentially connected with the health and well-being of mankind."

Considering the bill with this dispassionate temper of mind, he had been surprised to hear it treated as if the provisions contained in it were alarming and outrageous novelties. In fact, the bill did not contain any one provision which was not sanctioned by other Acts of Parliament. It had been represented as tending to destroy the corporate rights of the whole body of surgeons; and yet it did no more than re-establish, under another name, precisely the same institution with the same powers, the same mode of election, and the same government of the corporation property, which

had subsisted, without complaint or objection, for fifty-two years. The nomination to vacancies was proposed to be the same as that which had been prescribed by the Eighteenth of George II.; an Act which passed in 1745, when Lord Hardwicke was Chancellor. No distinctions were created by the bill between the governing and governed part of the corporation, except those which had subsisted among the Surgeons for more than half a century, and which are analogous to what prevail in so many other corporations and colleges. The learned Lord had objected to the clause for the confirmation of the existing bye-laws. That clause, however, was the same as the fourth section of the Act of George II., and clearly implied nothing more than that the existing government of the body of surgeons should go forward until their new constitution could take effect. And all their bye-laws were of course subject to the salutary checks and supervision already provided by the law of the land. Again, the clause imposing a 10*l.* penalty had been strongly objected to; but it should be remarked that by the Act of the Third of Henry VIII. there exists in full force a penalty of 5*l.* on surgeons practising without license. When the difference of the times is considered, the penalty now proposed is comparatively moderate. Without meaning, however, to give an opinion on that clause, he must observe that any alteration of it in that House would be a virtual rejection of the bill. There was indeed one clause in the bill, and he had concurred with the learned Lord in a proposed amendment of it, which had not been adopted by the House: he alluded to the clause for compelling the surgeons to have their place of dissection within three hundred yards of the Old Bailey.

In this cursory review of the several clauses he desired not to be understood as giving an opinion that the constitution proposed by the body of surgeons might not, in many respects, be improved: more especially in the proposed system of receipt and expenditure, which ought to be subject to some mode of publicity at least, if not of check and controul, from the body at large. Still less did he mean to convey an opinion that the bill had not many faults and defects. Perhaps he might say, without arrogance, that if the forms of the two Houses would have permitted him to correct and new model it, he could have improved it considerably. Still, however, there was nothing in the bill essentially objectionable; certainly nothing which could authorize any Peer of that House to treat an useful, liberal,

liberal, and enlightened description of men with harshness or with ridicule, or with any expressions tending to disparage either the supporters or the opposers of the bill: [Lord *Thurlow* here said aloud that he had used no expression of any such meaning or tendency.] Such expressions are not generous when applied against parties who have no means of self-defence, and no opportunity of contradiction.

It remained only to say a few words as to the exigency of the proposed bill. And here it was necessary to observe that by the Eighteenth of George II. a Master and two Governors had been appointed to the body of Surgeons; and it was provided that two of those three should be a quorum in assembling and holding all courts for the government of the corporation. It happened, however, that in 1796 one of the three had died suddenly, and another had been disabled by a stroke of apoplexy.

If under such circumstances the legality of the subsequent meeting had been vitiated, the whole powers given to the corporation were now voidable, if not void. In that case, and under a disability which had arisen from a dispensation of Providence, and not from any default of the parties, Parliament would be disposed to meet the application of the petitioners with indulgence: and in truth they had desired little more than the same institution and the same powers which they had so long possessed and exercised. [Lord *Thurlow* here suggested that the petitioners might apply to the King for a charter.] No powers could be given by charter alone sufficient for the protection of the public against ignorant adventurers and empirics.

If, on the other hand, the corporation was to be considered as still in force under the Act of the Eighteenth of George II., all the powers so strongly objected to by the learned Lord and by the other opponents of the bill, would continue to be exercised under the present Court of Assistants, instead of being transferred, with some salutary corrections, to the proposed college.

In the case of the present corporation becoming void by the circumstance which had been mentioned, the rejection of the present bill would produce obvious and important difficulties. The whole profession and practice of surgery would be left without regulation, or controul; there would not even remain a legal mode of examining surgeons for the Army and Navy.

Under all these considerations, though always disposed to respect the predominating sentiment of the House, he

must declare it to be his wish that their Lordships would adopt the Bill sent from the Commons, and approved by three full committees on repeated examination and discussion. A clause might be annexed to the Bill restricting its duration to three years. Such a clause would obviate all the present inconvenience, and would, within a short period, bring the subject again fully before Parliament.

The *Bishop of Rochester* said, he agreed with his noble and learned Friend in many of the observations he had made, although he owned, he was rather inclined to favour the bill. At the same time, he wished that the preamble had stated the real fact, and acknowledged the true ground on which the application had been made to Parliament. In the preamble it states that "whereas it hath been found by experience that the privileges and regulations of the said act, (viz. the 18th of George the Second,) and the privileges, powers, and authorities vested thereby, &c. &c. have not been sufficient for the well ordering and regulating the affairs of the said Corporation, and the practice of surgery," &c. &c. now, it had come out in the evidence, that the Master and Wardens, in consequence of having held an informal meeting, at which one warden was prevented from attending in consequence of death, and another warden had also been prevented from attending by what was next to death, viz. by being confined to his bed by an apoplexy, which afterwards terminated in his death, considered the company as defunct. A doubt of the same nature had been entertained by others, who had insisted that the Corporation had no longer any legal existence, and that it was but the carcase of a Corporation without any vitality at all. Had that ground been avowed and it had been fairly stated, that the petitioners for the bill applied to Parliament for the necessary authority to resuscitate their inanimate functions, they would certainly have been better fortified in their application for it, but as the preamble now stood, with a view to the provisions of the bill, it was undoubtedly true, as his noble and learned Friend had observed, that the clauses of the Bill and the preamble were irreconcilable. The surgeons as a learned and scientific body desired through the medium of the present bill to be erected into a royal College. (Lord *Thurlow* said, across the House, and a trading company at the same time") and they required very few alterations in their corporate government. All governments were to be judged by their effects, and by this rule, it should appear that the Corporation

poration of surgeons had been well governed, for there not only had not been any complaint against the government of the Corporation from the period of the institution of it under the act of the 18th of George the Second, to the present time, but, it was universally acknowledged, that,—what should he call it,—his noble and learned Friend would not allow him to call it a science, but he might be permitted to term it, the scientific art of surgery, was now brought to greater perfection in this metropolis, than in any part of the world.

His noble and learned Friend had thrown a good deal of ridicule on the supporters of the present bill, and he felt that he must submit to take his share of that ridicule. In the beginning of the opposition to the bill, he confessed he was inclined to think worse of the opponents to it, than he at present believed they deserved; he thought he perceived something of a levelling principle, something of an equalizing spirit at the bottom of the opposition to the bill, and he had no scruple to avow, that he considered democracy a monster, that ought to be unkenneled from its lurking places, carefully watched in all its windings and hunted down wherever it could be found. Democracy was a monster, that in times like these ought to be crushed in its birth. Thence it was, that he had said that, in the Committee, which had excited his noble and learned Friend's pleasantry and ridicule so much to the entertainment of their Lordships. But though he saw no objection to erecting the Corporation of Surgeons into a Royal College, the idea of which was clearly founded on the fact of their being at this time a Royal College of the kind in Edinburgh and Dublin, and notwithstanding that many parts of the bill, were mere copies of the provisions of the former act, (that of 18 George the Second) and only re-enacted the clauses of that statute, there were in the present bill, some clauses which he did not like and which did not please him, and two in particular, both of which ought not to stand. In the first enacting clause, their Lordships on reference to the bill would find these words “ and that all the monies, stocks, funds, rents, securities, debts, property, lands and tenements, estate and effects whatsoever, which did, at the time of passing this act, belong to the said Corporation or Company of the Surgeons, and all right and title to the same, shall be; and the same and every part thereof are, and hereby is, vested in the said College hereby established; and that it shall and may be lawful for the said College to
“ purchase,

“purchase, enjoy, and take any other lands, tenements, rents, or hereditaments wheresoever situate, lying, and being, together with the house or houses, lands and tenements above-mentioned, the yearly rent or value of *one thousand pounds* in the whole, without incurring any of the penalties or forfeitures of the statute of Mortmain.” and by the ratifying clause, page 7, “the supervisal, controul, regulation and management of, in, and over all and singular, the lands, tenements, monies, stocks, funds, revenues, goods, effects, concerns, business, proceedings, and transactions, whatsoever belonging, due, owing, payable, or arising, or relating to the said College hereby created and established, as aforesaid, &c. &c. shall be, and the same are hereby *vested* in the President, Vice-Presidents, Censors, and Councillors hereby appointed, and their successors to be exercised by them, or the majority of them in Council assembled.” By the first of these clauses their Lordships would perceive, that the entire property of the College was vested in the Corporation at large, and by the other the supervisal, controul, and management was vested in the Select Committee of twenty-one.

This was certainly irreconcilable, and not in his judgment quite prudent. It was surely a little extraordinary to vest the entire property of the corporation in the whole body and then to give the management of it unlimitedly into the hands of a Committee, over whom the body at large were to have no sort of check or controul whatsoever, let the abuses practised be ever so flagrant and detrimental to the general interests of the corporation! He believed the persons named in the bill, to be as respectable in character, and their integrity as pure and unimpeachable as that of any set of men to be found in the kingdom, but it was in his opinion never safe nor wise to establish such a Parliamentary precedent.

With regard to the clause extending the jurisdiction of the college, he thought there was much ground of objection to it. He could not approve of the clause either in its principle, or its penalty. In the first place the words “if any person or persons &c. shall *practise surgery*,” that surely was a most indefinite term and might be carried by construction to a most comprehensive and dangerous extent. As to the words that followed, in the clause, viz. “or profess to practise surgery, by word or writing, or any public action, sign, or token, &c.” he was aware that in the statute 3, Henry VIII. Cap. 11; it was stated, “that whereas common artificers and women have undertaken great cures, in which they practise *surgery* and *witchcraft* and apply such remedies as are noxious, &c.” It was enacted,

enacted, therefore, that no persons shall practice within London, or seven miles thereof, unless examined by the Bishop of London or Dean of St. Paul's, four doctors of physic and persons expert in surgery under the penalty of 5*l.* and that clause at once fell in with the prejudice of the times, and was calculated for a wholesome purpose, but he could not conceive it was necessary to copy the idea of it at this more enlightned day; much more to accompany it with so large an increase of penalty as a penalty of ten pounds per month on each conviction. It certainly was not a very easy matter to define what surgery was. It was he believed generally considered as an external application either manual or curative to external disorders, to which the human body was liable. Under that general description might be comprehended a very extensive description of practitioners of surgery in all parts of the kingdom, many of whom administered their assistance to their neighbours *gratis*, and were actuated solely by charitable motives; others there were, who having applied themselves sedulously to surgery, and to the cure of the disorders incidental to the brute creation, at length ventured to try their skill in endeavouring to relieve the pains of their fellow creatures, and in many cases practised with great success. He himself had witnessed a singular instance of this in the north of England, in the person of a man named Taylor, who having long practised on horses and cows, felt bold enough at last to practice on their owners, and particularly applied his skill to the cure of cancers, or cancerous ulcers as they are termed, though the faculty call them otherwise, and will not allow them to be of that nature. Certain, however, it is, this Doctor Taylor, if he did not make perfect cures, as many of his patients conceived that he did, was at least capable of producing great palliation of pain and anguish, in affections the most excruciating. And this he could avouch from his own knowledge, to have been the fact in the case of the brother of his noble and learned friend, (the late Bishop of Durham), and also in a case of a brother of his own. This Doctor Taylor, his Lordship said, was a very illiterate man, but nevertheless in both the cases to which he had alluded he administered great relief; it became therefore a question whether if the clause in question were to pass without some modification or other, the public would not suffer, by having the means of ready relief cut off by a dread of the enforcement of so heavy a penalty? Upon the whole, though he approved of the object of the bill, and thought a great part of its provisions fit and salutary, yet the objections that had been taken to it, and the necessity of altering some of its clauses, added to the advanced period of the session,

session, the absence of several noble Lords who had taken a part in it, and the little chance there was of opportunity for deliberately amending it, where it appeared to be defective, made it impossible for him to resist the motion of his noble and learned friend, "that the bill be read again that day three months."

Lord *Grantley* rose to support the motion, and resist a bill that went to alienate the property of others without their consent. His Lordship said, he hoped, it would ever be held a sacred principle in that House, that the property of their fellow subjects should not be taken from them, unless they had done something that amounted to a sufficient reason for depriving them of it, or unless it was clearly proved, that the alienating it was necessary for the public good, and those who were to be deprived of their property were to receive an adequate compensation. He trusted that against next session, all that heat and animosity which seemed to have been excited by the present bill, would have subsided, and that the abilities of both parties might be employed in the mean time in digesting a better system, and framing a bill more agreeable to all interested, more practicable in itself, and more useful to the public.

The *Lord Chancellor* said, that it was not unusual for any party, who when they had by an accidental slip, been guilty of an informality in the exercise of powers vested in them as the executive of a body corporate, conceived they had vitiated their powers and thereby destroyed the corporation for which they acted, when they applied to Parliament, to re-animate their functions, to desire at the same time to have such new regulations made, as they had found to be necessary to prevent any of those inconveniencies again arising, which they had experienced under the existing regulations of the former corporation. He must, nevertheless, say, that he really saw no striking or pressing necessity for passing the bill immediately. He for one did not object to the clause, respecting the supervisal, controul, and management of the lands, tenements, rents, monies, funds, revenues, concerns, business, &c. of the corporation; because the bill vested that controul, &c. in the hands of a few, as daily experience proved that such management could only with safety be executed by a select Committee acting with delegated powers, and that it was impracticable for a large and numerous body to act usefully for themselves. But he was clearly of opinion that a controuling power should exist somewhere, and that was not provided for by the present bill. He thought, therefore, upon every consideration that it would be better to suspend the passing of the present bill, and that

that no ill consequence could result from it, as the corporation of surgeons might if they thought it necessary apply to the crown for a charter to renovate their functions, and might settle any regulation, that should appear to be a reasonable and necessary regulation, with the Attorney General.

The question was put, and the bill ordered to be read a third time that day three months.

Several bills were brought up from the House of Commons, presented, and read a first time.

HOUSE OF LORDS.

WEDNESDAY, July 19.

APPEAL—BOWES V. STRATHMORE.

Counsel were heard for the appellant in this case, which was an appeal from a decree of the Court of Chancery—*Andrew Robinson Bowes, Esq. v. Mary Eleanor, Countess of Strathmore*. Their Lordships did not deem it necessary to hear the Respondent's Counsel.

The *Lord Chancellor* after taking a short view of the case, in which his opinions were decidedly in favour of the respondent, moved their Lordships to affirm the decree of the Court of Chancery; and as a signal mark of their disapprobation of the appellant's conduct, to adjudge him to pay 150*l.* costs, which was ordered accordingly.

The royal assent was given to fifty-two public and private bills; among the former were, the Scots Distillery, the additional Horse duty, the Clocks and Watches duty, the Male Servants duty, the Lottery, the Copper Coin, the Conveyance Forgery, the Bankrupts Frauds, the Slave Carrying, the Southern Whale Fishery, the Unlawful Oaths, the Insolvent Debtors, the National Debt, the Royal Notice, and the Scots Militia bills. The Commissioners were the *Lord Chancellor*, the *Earl of Westmoreland*, and *Earl Spencer*.

The various bills upon the table passed thro' their final stages.

After their Lordships had waited a very long time, Mr. *Secretary Dundas*, accompanied by the *Chancellor of the Exchequer*, and other members, presented from the House of Commons the East India Judicature bill, which was immediately passed through it's several stages.

Adjourned at half past six o'clock.

HOUSE OF COMMONS.

WEDNESDAY, July 19.

The *Speaker* attended in the House of Lords, where the Royal Assent was given by commission to a variety of public and private bills.

New Writs were ordered for Dover, in the room of Mr. Pybus, made a Lord of the Treasury; for Penryhn, in the room of Mr. Wallace, made a Lord of the Admiralty; for Orford, in the room of Lord Castlereagh, who has accepted of the Chiltern Hundreds; for Arundel, in the room of Sir G. Thomas, who has accepted of the Chiltern Hundreds; for Newark, in the room of Thomas Manners Sutton, Esq. who has accepted the office of Justice of Merioneth, Anglesea, and Carnarvonshire.

A message was received from the Lords informing the House, that they had agreed to the India Judicature bill, and Calcutta and Bombay Court bill, &c. with amendments.

On the second reading of the amendments,

The *Speaker* informed the House that the amendment of the Lords to the India Judicature bill, by which the words requiring the counter-sign of the President of the Board of Controll to be applied to the warrant for conferring a pension on such persons as should receive it under the bill, were omitted, was such as could not be agreed to by the House, because contingently and eventually it might affect the public money in a way in which the House had not originally determined. There were two modes of proceeding, either to reject the amendment and request a conference with the Lords, or move to put off the consideration for three months.

Mr. *Secretary Dundas* acknowledged the propriety of what the *Speaker* had observed, and moved that it be put off for three months.

There was a similar amendment in the other bill, and the same observations followed.

Mr. *Dundas* then said, that as there was precedent for such a proceeding, he hoped there would be no objection to allow a new bill to be brought in, and pass through all its stages in one day, and to comply with the form, he proposed to convert both into one bill.

Sir *John Sinclair* doubted the propriety of making such proceedings frequent.

Mr. *Baker* said a few words, after which leave was given, the bill was brought in, and read a first and second time. In the

the Committee some conversation took place between Mr. *Baker*, Mr. *Dundas* and Mr. *York*. Mr. *Baker* proposed that the period of service for which the Judges should be enabled to be recalled on pension, should be ten years. This was rejected, but the term *seven* now stands instead of *five*.

The report was immediately received, agreed to, and the bill read a third time.

Mr. *Abbot* brought up a farther report from the Finance Committee, which was ordered to lie on the table. Adjourned.

HOUSE OF LORDS.

THURSDAY, July 20.

This day, about half past three o'clock, P. M. the King came down to the House of Lords for the purpose of proroguing Parliament, and being seated on the Throne with his officers of state around him, Sir Francis *Molyneux*, (Deputy Usher of the Black Rod) was sent to require the attendance of the Commons.

The House of Commons attended in obedience to his Majesty's command, and the Speaker in coming to the bar addressed the King in a short, but neat, speech, of which the following was the substance:

The House of Commons, he said, had, through a long and arduous session, discharged their important duties in such a way as to justify the trust reposed in them by the nation. They had taken the most effectual measures for securing the defence of the country against the attacks of its foreign enemies, while at the same time they had not been forgetful of the means of preserving internal order and tranquillity, without the maintenance of which no government could long exist. In the course of the session they had been under the necessity of imposing burthens upon the people to a very unusual extent, but they had the consolation of thinking that the grants which they had made for the public service would be applied with the strictest and most rigid economy, while they would enable his Majesty to make further exertions should they be found to be necessary. He had some bills in his hand, which the House of Commons had passed, and to which they requested his Majesty's assent.

His assent being given to the bills, the King was pleased to read the following most gracious speech from the Throne:

MY LORDS AND GENTLEMEN,

"I cannot put an end to this Session of Parliament without returning you my

most sincere and cordial thanks for the assiduity and zeal with which you have applied yourselves to the important objects which have required your attention, and for the wisdom and firmness which you have manifested in the new and difficult emergencies for which you have had to provide.

" I must particularly express the just sense I entertain of the salutary and effectual provisions which you made for strengthening the means of national defence; and the measures adopted for obviating the inconveniences which were to be apprehended to credit from the temporary suspension of payments in cash by the Bank; as well as of the promptitude, vigour, and effect with which you afforded Me your assistance and support in suppressing the daring and treasonable mutiny which broke out in a part of My fleet; and in counteracting so dangerous and pernicious an example.

" I have the satisfaction to acquaint you, that, since the accession of the present Emperor of Russia, the commercial engagements between the two countries have been renewed in such a manner as will, I doubt not, materially conduce to their mutual interests.

" GENTLEMEN OF THE HOUSE OF COMMONS,

" I must return you my particular thanks for the liberal and extensive provision which you have made for the various exigencies of the public service, and while I lament the necessity which increased them to so large an amount, it is a consolation to Me to observe the attention you employed in distributing the heavy burthens, which they occasioned, in such a manner as to render their pressure as little severe as possible to My people.

" MY LORDS AND GENTLEMEN,

" The issue of the important negociation in which I am engaged is yet uncertain; but, whatever may be the event, nothing will be wanting on My part to bring it to a successful termination, on such conditions as may be consistent with the security, honour, and essential interest of My dominions. In the mean time, nothing can so much tend to forward the attainment of peace, as the continuance of that zeal, exertion, and public spirit, of which My subjects have given such conspicuous and honourable proofs, and of which the perseverance and firmness of Parliament has afforded them so striking an example."

The Lord Chancellor, by his Majesty's command, then said :

MY LORDS AND GENTLEMEN,

" It is his Majesty's royal will and pleasure that this Parliament be prorogued to Thursday, the 5th day of October next, to be then here holden; and this Parliament is accordingly prorogued to Thursday, the 5th day of October next."

HOUSE OF COMMONS.

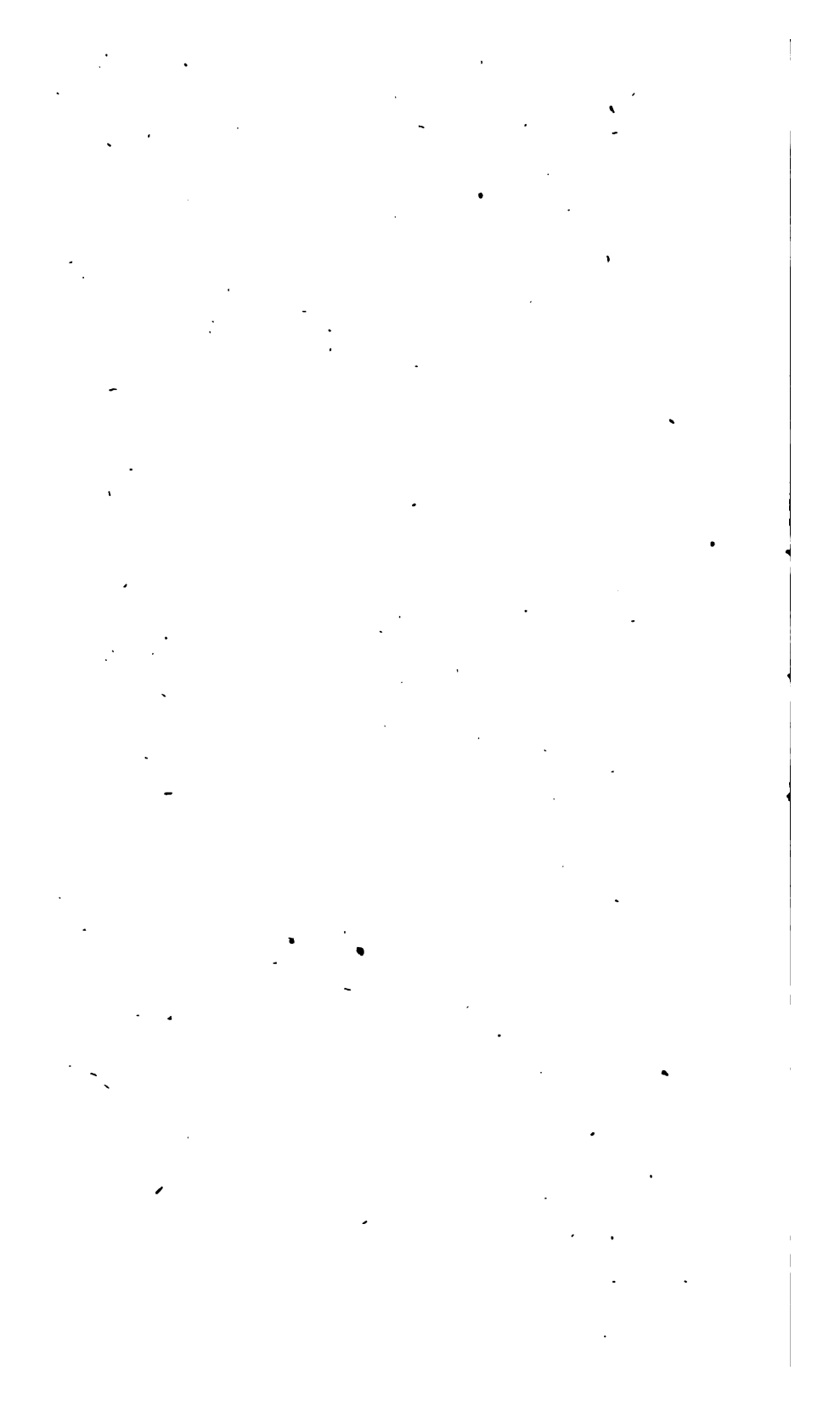
THURSDAY, July 20.

New writs were ordered for the election of burgesses to serve in Parliament for the borough of Old Sarum, in the
room

room of Lord Mornington, who, since his election, has accepted of the Chiltern Hundreds; and for the district of boroughs of Pettenweem, Anstruther easter, Anstruther wester, Crail, and Kilrenny, in the room of John Anstruther, Esq. who, since his election, has accepted the office of Chief Justice of the Supreme Court of Judicature at Calcutta.

Mr. *Abbott* brought up another report from the Committee of Finance, which was ordered to be printed.

The Speaker, with the House, attended in the House of Lords in obedience to his Majesty's command, and on their return the Speaker read the King's speech at the table.



The following **BILLS** received the Royal Assent in the course of the Session, commencing September 27, 1796, and ending July 20, 1797, and were all the **PUBLIC ACTS** of that period.

2d November. " **A**N A&t for granting an aid to his Majesty by a Land tax, to be raised in Great-Britain, for the service of the year one thousand seven hundred and ninety-seven.

" An A&t for continuing and granting to his Majesty certain duties on Malt, Mum, Cyder, and Perry, for the service of the year one thousand seven hundred and ninety-seven.

Nov. 11. " An A&t for providing an augmentation to the Militia, to be trained and exercised in the manner therein directed; and for enabling his Majesty to cause the same to be embodied, in case of necessity, for the defence of these kingdoms.

" An A&t for raising a certain number of men in the several counties in England, for the service of his Majesty's army and navy.

" An A&t for raising a certain number of men, in the several counties, stewartries, royal burghs, and towns, in that part of Great Britain, called Scotland, for the service of his Majesty's army and navy.

" An A&t for enabling his Majesty to raise a provincial force of Cavalry to be embodied, in case of necessity, for the defence of these kingdoms."

" An A&t to continue for a limited time, and amend, an A&t made in the last session of Parliament, intituled, " An A&t to prohibit the exportation of Corn, Meal, Flour and Potatoes, and to permit the importation of Corn and other articles of provision, for a limited time, in any ships whatever, without payment of duty, and for permitting Wheat, Wheat Flour, and Meal, imported in order to obtain the bounties granted by an A&t of the last session of Parliament, but which have not been found fit for making Bread, to be used in the manufacture of Starch, Hair Powder and Blue, or in the distillation of low Wines and Spirits."

" An A&t to continue for a limited time, an A&t made in the thirty-fifth year of the reign of his present Majesty, for permitting the importation of organzined Thrown Silk, Flax, and Flax Seed, into this kingdom in ships or vessels belonging to any kingdom or state in amity with his Majesty."

" An A&t for granting Annuities to satisfy certain Navy, Victualling, Transport, and Exchequer Bills."

December 23. " An A&t for raising the sum of eighteen millions by way of Annuities."

" An A&t to indemnify such persons as have omitted to qualify themselves for offices and employments, and to indemnify Justices of Peace, or others who have omitted to register or deliver in their qualifications, within the time limited by law, and for giving further time for those purposes, and to indemnify members and officers in cities, corporations, and borough towns, whose admissions have been omitted to be stamped according to law, or having been stamped have been lost or mislaid, and for allowing them time to provide admissions duly stamped; to give further time to such persons as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors; and for indemnifying deputy-

deputy-lieutenancy and officers of the militia, who have neglected to transmit descriptions of their qualifications to the clerks of the peace within the time limited by law, and for allowing further time for that purpose."

"An Act to continue several Acts, made in the thirty-fifth and thirty-sixth years of his present Majesty's reign, respecting the admission of certain articles of merchandize in neutral ships, and the issuing of orders in Council for that purpose for a limited time."

"An Act to enable the company of proprietors of the Dudley Canal Navigation to raise a further sum of money for completing the said Navigation, and for amending the several Acts relating thereto."

"An Act for amending, widening, altering, improving, and keeping in repair the road from Rochdale, through Bamford and Birtle to Bury, and for making and maintaining three several branches of road therefrom, all in the county Palatine of Lancaster."

"An Act for amending, widening, turning, altering, improving, and keeping in repair, the road from or near Guide Post, at or near a certain place called Sudden Bridge, in the township of Castleton, within the parish of Rochdale, in the county Palatine of Lancaster, to the north easterly end of a certain fleet or place, in the town of Bury, within the parish of Bury, in the said county, called Clerke Street, and for making a new road, from and out of the said road, at or near a place called Captain Fold, in the township of Castleton aforesaid, to communicate as well with the turnpike-road leading from the town of Rochdale to the town of Manchester in the said county, as also with the Rochdale Canal, at or near a place called the Blue Pits, in the said township of Castleton."

December 28. "An Act for granting to his Majesty additional duties of Excise on Auctions, Bricks, Cocoa-nuts, British and Foreign Spirits, and Tea."

"An Act for granting to his Majesty certain duties of Customs of Goods, Wares, and Merchandize, imported into, exported from, or brought and carried coastwise within Great-Britain, except Wine, and except Coals, when brought or carried coastwise; and for applying the money to arise by virtue of an Act, passed in the last session of Parliament, intitled, "an Act for reduction of the drawbacks and bounties now allowed on the exportation of Sugar," towards defraying the increased charge occasioned by any loan granted, or stock created, by any Act or Acts passed in the last session of Parliament."

"An Act for granting to his Majesty an additional duty on Stage Coaches."

"An Act for granting to his Majesty certain additional duties on Distilleries in Scotland, and on the exportation of British made Spirits, from England to Scotland, and from Scotland to England."

"An Act for altering certain rates of Postage for conveyance of Letters in England and Scotland, respectively, and of Packets to and from Great-Britain, from and to Portugal, and the British Colonies in America, respectively, and for setting apart, at the receipt of the Exchequer, for a certain period, out of the revenues of the Post-Office, the annual sum of forty thousand pounds, towards defraying the increased charge occasioned by any loan raised, or stock created, by any Act or Acts passed in the thirty-fifth year of his present Majesty."

"An Act for the more effectually securing the Stamp Duties on Indentures, Leases, Bonds, and other Deeds."

"An Act for extending the time, limited by an Act of this session of Parliament,

Parliament, for delivering in Navy, Victualling, Transport, and Exchequer Bills."

"An Act for authorizing his Majesty for a limited time to make regulations respecting the Trade and Commerce to and from the Cape of Good Hope."

"An Act for amending, widening, and keeping in repair the road from Magdalen Gate, in the city of Norwich, to the King's Arms Inn, in the North Waltham, in the county of Norfolk."

"An Act for allowing further time for the payment of Instalments, to become due on certain sums advanced by way of loan, pursuant to an Act of the thirty-fifth year of the reign of his present Majesty, intituled, "an Act for enabling his Majesty to direct the issue of Exchequer Bills, to a limited amount, for the purposes and in the manner therein mentioned; and for granting further relief to persons connected with and trading to the islands of Grenada and St. Vincent."

"An Act to provide for the more speedy payment of all Navy, Victualling and Transport Bills, that shall be issued in future."

"An Act to explain and amend an Act, made in this present session of Parliament, intituled, "an Act for providing an augmentation to the Militia, to be trained and exercised in the manner therein directed, and for enabling his Majesty to cause the same to be embodied in case of necessity, for the defence of these kingdoms."

"An Act to explain and amend an Act made in the present session of Parliament, intituled, "an Act for enabling his Majesty to raise a provincial force of Cavalry, to be embodied in case of necessity, for the defence of these kingdoms."

"An Act to explain and amend an Act made in this present session of Parliament, intituled, "an Act for raising a certain number of men in the several counties in England, for the service of his Majesty's army and navy."

"An Act for the better raising and ordering the Militia forces of the Tower Hamlets, in the county of Middlesex."

March 3. "An Act to remove doubts respecting Promissory Notes of the Governor and Company of the Bank of England, for payment of sums of money under five pounds."

"An Act for making and maintaining a Navigable Canal from Guinea Port, in the parish of St. Breack, in the county of Cornwall, to Dunmeer Bridge, in the parish of Bodmin, in the said county, and also a certain collateral cut from Cotton Wood, to or near to Ruthern Bridge, in the said parish of Bodmin."

"An Act for enabling the company of proprietors of the Grantham Canal Navigation to finish and complete the same; and the collateral cut to communicate therewith, and for amending the Act of Parliament passed in the thirty-third year of the reign of his present Majesty, for making and maintaining the said canal and collateral cut."

"An Act for continuing the term, and altering and enlarging the powers of two Acts of Parliament, passed in the twenty-second year of the reign of King George the Second, and in the tenth year of the reign of his present Majesty, for repairing and widening several roads in the county of Sussex, so far as the said Acts relate to the road leading from the Bridge, at the north end of Farnhurst-lane, through Midhurst, to the city of Chichester, and from Chichester aforesaid to Delkey, all in the said county of Sussex."

March 7. "An Act to enable the East-India company to raise money by further increasing their capital stock, and to extend the provisions now existing, respecting the present stock of the company, to the said increased stock."

March 10. "An Act for punishing Mutiny and Desertion, and for the better payment of the Army and their quarters."

"An Act to suspend, for a limited time, the operation of two Acts of the fifteenth and seventeenth years of the reign of his present Majesty, for restraining the negotiation of Promissory Notes and Inland Bills of Exchange, under a limited sum, within that part of Great-Britain, called England."

March 24. "An Act for the regulation of his Majesty's Marine forces while on shore."

"An Act for appointing Commissioners for putting in execution an Act for this session of Parliament, intituled, "an Act for granting an aid to his Majesty by a Land Tax, to be raised in Great-Britain, for the service of the year one thousand seven hundred and ninety-seven."

"An Act to enable the company of proprietors of the Navigable Canal from the Trent to the Mersey, to make a Navigable Canal from and out of a certain branch of their said Navigation, called the Caldon Canal, at or near Endon, to or near the town of Leek, in the county of Stafford, and also a reservoir for supplying the several Canals of the said company with water."

"An Act to enlarge the terms and powers of two several Acts of Parliament, the one made in the twenty-third year of the reign of his late Majesty, and the other in the eleventh year of his present Majesty, for repairing the road from the city of York over Skipbridge to Boroughbridge, in the county of York."

"An Act for continuing the term, and altering and enlarging the powers of two Acts, passed in the twenty-ninth year of the reign of his late Majesty King George the Second, and in the fifteenth year of the reign of his present Majesty, so far as the same relate to the roads from Basingstoke, through Popham lane, Sutton Scotney, and Stockbridge, in the county of Southampton, to a place called Lobcomb Corner, in the county of Wilts."

"An Act for reviving, continuing, and amending an Act, passed in the eleventh year of his present Majesty, for repairing and widening the road leading from Wem, in the county of Salop, to the Lime Rocks at Bion-y-Garth, and several other roads in the counties of Salop and Denbigh."

"An Act for enlarging the term and powers of certain Acts, passed in the third, seventeenth, and thirtieth years of the reign of his late Majesty, and the thirteenth year of his present Majesty, for repairing the several roads in the counties of Warwick, Worcester, and Gloucester, so far as relate to the road leading from a gate, called Shipton Toll-Gate, at Bridge-Town, in the parish of Old Stratford, through Alderminster and Shipton upon Stower, to the top of Long Compton-Hill, in the said county of Warwick."

March 27. "An Act to continue the laws now in force, for regulating the trade between the subjects of his Majesty's dominions and the inhabitants of the territories belonging to the United States of America, so far as the same relate to the Trade and Commerce carried on between this kingdom, and the inhabitants of the countries belonging to the said United States."

"An

" An A&t for defraying the charge of the pay and cloathing of the Militia in that part of Great-Britain called England, for the year one thousand seven hundred and ninety-seven."

" An A&t to explain and amend an A&t, made in this present session of Parliament, intituled " an A&t for raising a certain number of men in the several counties, stewartries, royal burghs, and towns, in that part of Great-Britain, called Scotland, for the service of his Majesty's army and navy."

" An A&t to allow the Banks, and certain Banking Companies in that part of Great-Britain called Scotland, to issue Notes for sums, under a certain amount, for a limited time, and for indemnifying all persons who have issued Notes for small sums of money in that part of the united kingdom."

" An A&t for more effectually making and repairing certain roads in the stewartries of Kirkcudbright, and for amending an A&t, made in the twentieth year of the reign of his present Majesty, for repairing the highways, bridges, and ferries, within the said stewartry."

April 24. " An A&t for increasing the rates of subsistence to be paid to Innkeepers and others, on quartering soldiers."

" An A&t for building a new Chapel at Plymouth Dock, in the parish of Stoke Damerel, in the county of Devon."

" An A&t for amending and rendering more effectual an A&t, passed in the thirty-third year of the reign of his present Majesty, for paving, lighting, cleansing, and otherwise improving, the town of Ipswich, in the county of Suffolk, and for removing and preventing encroachment, obstructions, and annoyances therein."

" An A&t for altering and amending an A&t passed in the eighteenth year of the reign of his present Majesty, intituled " an A&t for paving, cleansing, lighting, and watching the town of Northampton, and for removing and preventing encroachments, obstructions, and annoyances therein, and for continuing the term of certain tolls by the said A&t granted."

" An A&t for completing, widening, and keeping in repair the road from West Lavington, unto and through the town of the Devizes, to the house known by the name of the Green Man, in Seend, in the county of Wilts, and from Rowde Ford, through the Devizes Market Place, to join the Beckhampton Turnpike-road, near Wanddyke, and from the east end of the Devizes aforesaid, to the top of Red House Hill, in the said county of Wilts."

" An A&t for repairing and widening the road leading from the town and port of Dover, through the town and borough of Deal, to a certain place in the parish of Sholden, called Fouimead Field, and for making a new road through part of the said field, and Hacklinge Brooks, and part of a certain other field called Word Field, to or near to a messuage or farm house, called Upton Farm, in the parish of Worth, otherwise Word, and for repairing and widening the road from thence to the town and port of Sandwich."

" An A&t to continue the term, and alter and enlarge the powers of an A&t of the eleventh year of his present Majesty's reign, for more effectually repairing and amending the roads from Liverpool to Prescot, Ashton, and Warrington, and other roads therein mentioned, in the county palatine of Lancaster."

" An A&t for amending, altering, widening, improving, and keeping in repair

repair the road from the present turnpike-road at Hulmes Chapel, in the county palatine of Chester, leading from Hulmes Chapel to Knutsford, to the South Bridge in Chelford, in the said county, near to Chelford Chapel."

"An Act for continuing the term, and altering and enlarging the powers of three Acts passed in the third and seventeenth years of his late Majesty King George the Second, and in the sixteenth year of the reign of his present Majesty, for repairing the road from that part of Chatham, which lies next to the city of Rochester to St. Dunstan's Cross, near the city of Canterbury, in the county of Kent, and for amending and widening the road from the turnpike-road, at or near a place called Makenado Corner, in the parish of Preston, to Bagham Cross and Shalmsford-lane End, in the parish of Chilham, in the said county."

May 3. "An Act for confirming and continuing for a limited time, the restriction contained in the Minute of Council of the twenty-sixth of February, one thousand seven hundred and ninety-seven, on payments of cash by the Bank."

"An Act for making certain annuities created by the Parliament of the kingdom of Ireland, transferable, and the dividends thereon, payable at the Bank of England, and for the better security of the proprietors of such annuities, and of the Governor and Company of the Bank of England."

"An Act for discharging the estates of John Yeldham, Esq. from certain demands of the crown, upon the conditions therein mentioned."

"An Act for altering, amending, and rendering more effectual two Acts, made in the eleventh and fifteenth years of the reign of his present Majesty, for the regulation and improvement of the fisheries in the river Tweed, and the rivers and streams running into the same, and also within the mouth or entrance of the said river."

"An Act for repairing, improving, and maintaining, the harbour of Eyemouth, in the county of Berwick."

"An Act for repairing, deepening, enlarging, and preserving the harbour of Barmouth, in the county of Merioneth."

"An Act for enabling the company of proprietors of the Leicester Navigation, to finish and complete their several works, and to discharge the debts contracted in the making thereof, and for amending an Act, passed in the thirty-first year of the reign of his present Majesty, for making the said navigation, and several other works, in such Act mentioned."

"An Act for regulating and converting the statute labour, in the county of Fife, and for more effectually making and repairing the highways within the said county."

"An Act for enlarging the term and powers of the several Acts, passed in the thirty-first year of the reign of his late Majesty, and in the first and eighteenth year of the reign of his present Majesty, for repairing the road from Leeds to Sheffield, in the county of York, so far as the same relate to the road from Wakefield to Sheffield."

"An Act for enlarging the term and powers of an Act made in the seventeenth year of the reign of his present Majesty, for repairing the road from Halifax to Sheffield, in the West Riding of the county of York, so far as the same relate to the road from Penistone to Sheffield."

"An Act for enlarging the term and powers of so much of an Act, passed in the thirty-fourth year of his present Majesty's reign, as relates to the road from the Toll House in Paisley-lane, at the west side of the entry to the New Bridge Glasgow, by or near Park-house, to the east end of the bridge at Renfrew."

"An

" An Act for enlarging the term and powers of several Acts made in the twenty-sixth, twenty-seventh, and thirtieth years of his late Majesty's reign, and in twenty-ninth, and thirty-second years of his present Majesty's reign, for making and repairing the roads from Gorbals of Glasgow to Floak Bridge and Easter Grange, in the county of Renfrew, and other roads in the said county, and for making and repairing certain other roads in the said county, branching from, or connected with the roads mentioned in the said Acts."

" An Act for amending and rendering more effectual so much of two Acts made in the twenty-ninth and thirty-third years of the reign of his present Majesty for making and repairing certain roads in the county of Perth, as relates to the roads from Perth to Crieff, and the branches thereof."

" An Act for more effectually amending, improving, and keeping in repair the road from the West Cowgate, near the town of Newcastle upon Tyne, through the west end of Kenton, Ponteland, Highham Dykes, Newham Edge, Belsay Mill, and South Middleton, to the north side of the river Wanspeck, in the county of Northumberland, and also the road leading from the said road to the Alemouth turnpike-road."

" An Act for repairing, widening, and improving the public high road leading from Milnthorpe to Kirkby Lonsdale, in the county of Westmoreland."

May 9. " An Act for carrying into execution his Majesty's Order in Council of the third day of May, one thousand seven hundred and ninety-seven, for an increase of pay and provisions to the seamen and marines serving in his Majesty's navy, and to amend so much of an Act made in the thirty-fifth year of the reign of his present Majesty, as enables petty officers and seamen, non-commissioned officers or marines, to allot part of their pay for the maintenance of their wives, children, or mothers."

" An Act for authorizing the company of proprietors of the Gloucester and Berkely Canal Navigation to vary the size of a certain part of the said Canal, so as to render the execution thereof more easy, expeditious, and less expensive, and for altering and amending the Act, passed in the thirty-third year of the reign of his present Majesty, for making the said canal."

" An Act for taking down and rebuilding the parish church of Milbrooke, in the county of Southampton, and for enlarging the church-yard of the said parish."

" An Act to amend an Act made in the twentieth year of the reign of his present Majesty, for building a bridge across the river Wye, between Whitney and Clifford, in the county of Hereford."

" An Act for amending, widening, altering, and keeping in repair, the road leading from a place called Marton's Corner, in the town of Wellesborough, in the county of Northampton, to the east end of Abington-street, in the town of Northampton."

" An Act for altering, amending, and enlarging the term and powers of an Act made in the thirty-fourth year of his present Majesty's reign, for making and repairing certain roads in the counties of Clackmanan and Perth."

May 11. " An Act for raising the sum of fourteen millions five hundred thousand pounds by way of Annuities."

" An Act for repairing or rebuilding the bridge over the river Severn, in the town of Bridgnorth, in the county of Salop, and for opening convenient avenues thereto."

May

May 25. "An Act for guaranteeing the payments of dividends on a loan of one million six hundred and twenty thousand pounds to the Emperor of Germany, and the regular redemption of the capital to be created thereby; for enabling the Governor and Company of the Bank of England, to retain the sums granted for repaying advances made by them for the public service, and for repaying to the contributors to the loans of fourteen millions five hundred thousand pounds, and one million six hundred and twenty thousand pounds, the excess of their deposits beyond the proportional deposits to the said loans."

"An Act to amend an Act, made in the thirty-fourth year of the reign of his present Majesty, intituled "an Act for granting to his Majesty certain Stamp Duties on Indentures of Clerkship to Solicitors and Attornies in any of the Courts in England, therein mentioned."

"An Act to revive, amend, and continue for a limited time, an Act passed in the present session of Parliament, intituled "an Act to suspend for a limited time, the operation of two Acts, of the fifteenth and seventeenth years of the reign of his present Majesty, for restraining the negotiation of Promissory Notes, and Inland Bills of Exchange, under a limited sum, within that part of Great Britain, called England."

"An Act to revive and continue for a limited time, and amend an Act, passed in the present session of Parliament, intituled, "An Act to allow the Banks and certain Banking Companies, in that part of Great Britain, called Scotland, to issue Notes for Sums under a certain amount, for a limited time; and for indemnifying all persons who have issued Notes for small sums of money in that part of the united kingdoms."

"An Act for granting to foreign ships, put under his Majesty's protection the privileges of prize ships, under certain regulations and restrictions, and for allowing Aliens in foreign colonies, surrendered to his Majesty, to exercise the occupations of merchants or factors."

"An Act for indemnifying Governors, Lieutenant-Governors, and persons acting as such in the West-India Islands, who have permitted the importation and exportation of goods and commodities in foreign bottoms."

"An Act for empowering the Justices of the Peace, for the county of Middlesex, at their general or quarter sessions of the peace, to make a fair and equal county rate for the said county."

"An Act for re-vesting certain lands, tenements, and hereditaments, in the county of Kent, in the former proprietors thereof, and for other purposes therein mentioned."

"An Act to embank and drain the open and unembanked lands and grounds lying between the Dales Head Dyke, and the river Witham, in the several townships or hamlets and parishes of Walcot, Timberland Thorpe, Timberland Martin, Linwood, and Blankrey, all in the county of Lincoln."

"An Act for charging the fen lands and low grounds within the second, third, fourth, and fifth districts in the bounds and precincts of Whittlesey, in the Isle of Ely, and county of Cambridge, with further taxes for discharging the debts incurred by the Commissioners, for the said districts respectively, under certain Acts passed in the twenty-second year of King George the Second, and in the twelfth year of his present Majesty; and for better improving, supporting, and preserving the drainage of the said lands and grounds."

"An Act for continuing the term, and altering and enlarging the powers of two Acts, passed in the twenty-ninth year of the reign of his late Majesty King George the Second, and in the seventeenth year of the reign
of

of his present Majesty, for the repairing and widening certain roads leading to and from the city of Lincoln; and for repairing and widening the roads from the termination of the present turnpike road at the foot of Beacebridge Bridge, over the said bridge, westward, to the extremity of the county of Lincoln, near a place called Potter Hill, and from the termination of the present turnpike road, at the foot of Canwick Hill, southward, to a Windmill at the top of the said Hill."

"An Act for continuing the term, and altering and enlarging the powers of an Act, passed in the twenty-eighth year of the reign of his late Majesty King George the Second, for repairing and widening the road from Basingstoke, through Wortin Overton, Whitchurch, Husbourn Priors, Andover, and Middle Wallop in the county of Southampton, to a place called Lobcomb Corner, in the parish of Winterflow, in the county of Wilts; and of another Act made in the fourteenth year of his present Majesty, for enlarging the term and powers of the said Act, for including the road from Spittle House, over Weyhill, to Mullen's Pond, as directed by an Act, made in the twenty-ninth year of his Majesty King George the Second, and for amending the roads from Andover, through Charlton, towards Tangle, and from Charlton to Clanfield Bottom, and from Weyhill to Sanfon Street; and also the road through the said town of Basingstoke; and also for amending, widening, and keeping in repair, certain other roads in the county of Southampton."

"An Act for more effectually repairing, improving, and keeping in repair, the road leading from the Guide-post in the village of Adderbury, in the county of Oxford, through Kidlington, to the end of the Mileway in the city of Oxford."

"An Act for making and repairing the road from Kinross, in the county of Kinross, to Alloa, in the county of Clackmanan."

June 6. "An Act for granting to his Majesty additional Duties on the amount of certain Duties, under the management of the Commissioners for the Affairs of Taxes."

"An Act for preventing the importation of Cambricks and French Lawns into this kingdom, not being of the manufacture of Ireland, except for the purpose of being warehoused for exportation."

"An Act for preventing the desertion of Seamen from British merchant ships, trading to his Majesty's colonies and plantations in the West Indies."

"An Act for disallowing the Bounty on the exportation to Ireland of Sail Cloth, or canvas, of the manufacture of Great Britain for a limited time."

"An Act for making the Port of San Josef, in the island of Trinidad, a free Port."

"An Act to enable the East India Company to pay the expences of two Regiments of Infantry, to be raised for the defence and protection of the House and Warehouses of the said Company, and for such public services as are mentioned in an Act, made in the thirty fourth year of the reign of his present Majesty, intituled, "An Act for encouraging and disciplining such corps or companies of men as shall voluntarily enroll themselves for the defence of their counties, towns, or coasts, or for the general defence of the kingdom, during the present war."

"An Act to enable his Majesty to draw out and embody the Militia forces of the Tower Hamlets, in the county of Middlesex."

"An Act for the better prevention and punishment of attempts to seduce persons, serving in his Majesty's forces, by sea or land, from their duty

duty and allegiance to his Majesty, or to incite them to mutiny or disobedience."

"An Act for more effectually restraining intercourse with the crews of certain of his Majesty's ships now in a state of mutiny and rebellion, and for the more effectual suppression of such mutiny and rebellion."

"An Act for the better Regulation and Encouragement of Pilots for the conducting of ships and vessels into, and out of the port of Liverpool."

"An Act to amend and render more effectual, an Act passed in the twenty-sixth year of the reign of his late Majesty King George the Second, intituled, "An Act more effectually to enable the parishioners of the parish of Christ Church, in the county of Middlesex, to purchase, hire, or erect a Workhouse, for the employing, and maintaining the Poor of the said parish, and for the more effectual employment and support of the Poor therein; and also an Act passed in the eighteenth year of his present Majesty's reign, for amending the said first-mentioned Act, and for enlarging the powers of the said Acts and altering the manner of rating to the Poor of the said parish, and better effectuating other regulations relative thereto."

"An Act for paving, cleansing, lighting, watching, and otherwise improving, all such streets, and other public passages, as are, or shall be, made upon a certain piece of ground belonging to Elizabeth Doughty, spinster, situate in the parish of St. Pancras, in the county of Middlesex."

"An Act to enable the Company of Proprietors of the Navigation from the Trent to the Mersey, to extend several branches of Canal from and out of their said navigation."

"An Act for amending, widening, altering, improving, and keeping in repair, the road leading from Atcham, through Condover to Darrington, and also the road branching out of the said road, at a place called Allfield-Turning, in the said parish of Condover, to the Turnpike leading from Shrewsbury to Ludlow, at a place called Hongehill, in the same parish, all in the county of Salop."

"An Act for amending, widening, altering, and keeping in repair, the road from Bolton-in-the-Moor to Blackburn, in the County Palatine of Lancaster."

June 19. "An Act for allowing certain discounts to the Contributors of Eighteen Millions raised, by Annuities, by an Act of the present session of Parliament, who shall have completed their contributions, on or before the days therein mentioned."

"An Act to repeal so much of an Act passed in the present session of Parliament, as prohibits the exportation, and permits the importation, duty free, of several sorts of Corn, and other articles made thereof."

"An Act to permit goods, the product or manufacture of certain places within the Levant or Mediterranean Seas, to be imported into Great Britain, in British or foreign vessels, from any place whatsoever, for a limited time."

"An Act to amend so much of an Act, made in the thirty-second year of the reign of King George the Second, intituled, "An Act for the relief of Debtors, with respect to the imprisonment of their persons, and to oblige Debtors who shall continue in execution in prison beyond a certain time, and for sums not exceeding what are mentioned in the Act, to make discovery of, and deliver upon oath, their estates for their creditors benefit, as relates to the weekly sums thereby directed to be paid to prisoners in execution for debt, in the cases therein mentioned."

"An Act for amending an Act, passed in the thirty-second year of the reign of his present Majesty, intituled, "An Act for the Maintenance and Improvement

Improvement of the Harbour of Ramsgate, in the county of Kent; and for cleansing, amending, and preserving the Haven of Sandwich, in the same county."

"An Act for paving, lighting, watching, cleansing, watering, improving, and keeping in repair, Great Tower Hill; and for removing and preventing nuisances and annoyances within the same."

"An Act to alter, amend, and render more effectual an Act, made in the fourteenth year of his late Majesty, King George the Second, intituled, "An Act for the more effectual draining, and preservation of Waterbeach Level, in the county of Cambridge, and to establish an agreement made between the Lord of the Manner of Waterbeach cum Denny, and the Commissioners within the said Manner; and also, to raise a further sum of money for the improvement and security of the said Level."

"An Act to amend, and render more effectual, an Act made in the thirty-third year of his late Majesty King George the Second, intituled, "An Act for draining, and preserving certain Fen Lands and Low Grounds in the Isle of Ely, and counties of Suffolk and Norfolk, between Mildenhale River, South, Plant Load, and Brandon River, North, bounded on the West by the River Ouse, and on the East by the Winter Load, Earnwell Brooke, and the Hard Lands Mildenhale, and for empowering the Governor, Bailiffs, and Commonality of the Company of Conservators of the Great Level of the Fens, commonly called Bedford Level, to sell certain Fen Lands, lying within the limits aforesaid, commonly called Invested Lands, "so far as relates to the Fen Lands, and Low Grounds, lying in the first district described in the said Act; and also to amend, and render more effectual, an Act, passed in the thirteenth year of the reign of his present Majesty, for amending, and rendering more effectual, the said first recited Act."

"An Act for amending, widening, altering, and keeping in repair, the road from, or from near Edenfield Chapel, in the township of Tottington Highton End, in the parish of Bury, to the township of Little Bolton, in the parish of Bolton-in-le Moors; and also for making and maintaining a road from the said road, at, or near a place called Booth Pitts, in the township of Tottington Lower End, to or near Bury Bridge, in the township of Elton, in the said parish of Bury, all in the County Palatine of Lancaster."

"An Act for enlarging the term and powers of two Acts, passed in the thirtieth year of the reign of his late Majesty, and the twelfth year of the reign of his present Majesty, for repairing and widening several roads leading to, through and from, the town of Froome, in the county of Somerset, and for paving the footways, and heightening the streets within the said town."

"An Act for enlarging the term and powers of several Acts, for amending, and keeping in repair several roads therein mentioned, leading into the town of Leominster, in the county of Hereford."

June 22. "An Act for granting to his Majesty certain Stamp Duties on the several matters therein mentioned; and for better securing the duties on Certificates to be taken out by Solicitors, Attornies, and others, practising in certain courts of justice in Great Britain."

"An Act to continue for a limited time, an Act made in this present Session of Parliament, intituled, "An Act for confirming and continuing for a limited time, the Restriction contained in the Minute of Council of the twenty-sixth of February, one thousand seven hundred and ninety-seven, on payments of cash by the Bank," under certain regulations, and restrictions."

"An Act to continue for a limited time, an Act, made in the thirty-third year of his present Majesty's reign, intituled, "An Act for establishing Regulations respecting Aliens arriving in this kingdom, or resident therein in certain cases."

"An Act to indemnify such persons as have omitted to obtain their Certificates of Inrollment, Admission or Registry, in the several Courts in this kingdom."

"An Act to continue an Act, made in the thirty-first year of his present Majesty, intituled, "An Act for the Encouragement of the Pilchard Fishery, by allowing a further Bounty upon Pilchards taken, cured, and exported."

"An Act to amend two Acts, made in the fourth year of the reign of Queen Anne, and the first year of the reign of King George the First, for the Preservation of Salmon and other Fish, in the rivers within the counties of Southampton and Wilts."

"An Act for amending, and rendering more effectual, an Act passed in the thirteenth year of his late Majesty, King George the First, intituled, "An Act for the effectual Draining and Preservation of Haddenham Level, in the Isle of Ely," and for more effectually draining and preserving the Fen Lands and Low Grounds, lying within the said Level."

"An Act for more effectually repairing the roads between the House commonly called the Horseshoe House, in the parish of Stoke Goldington, in the county of Buckingham, and the town of Northampton; and from the North Bridge of Newport Pagnel, in the said county of Buckingham, to the said Horseshoe House."

"An Act for carrying into execution the Treaty of Amity, Commerce, and Navigation, concluded between his Majesty and the united States of America."

"An Act to revive and continue the bounties granted by an Act made in the twenty-sixth of the reign of his present Majesty, for encouraging the fisheries carried on in N. wfoundland, and parts adjacent, from Great Britain, Ireland, and the British dominions in Europe; to continue so much of an Act made in the thirty-third year of the reign of his present Majesty, as permits the importation and exportation of certain goods, wares, and merchandizes, in foreign ships, into and from the port of Saint John's, in the island of Antigua; and for so much of an Act made in the thirty-third year of the reign of his present Majesty, as permits Sir William Bishop, George Bishop, and Argles Bishop, to carry on the manufacture of Maidstone Geneva; and also so much of an Act made in the thirty-fifth year of his present Majesty, for better securing the duties on glass, as was to continue for a limited time."

"An Act to amend and render more effectual an Act made in the thirty-first year of the reign of his late Majesty King George the Second, intituled, "An Act for the due making of bread, and to regulate the price and affize thereof, and to punish persons who shall adulterate, meal, flour, or bread," so far as the same relates to the affize and making of bread, to be sold in the city of London and the liberties thereof, and within the Weekly Bills of Mortality, and within ten miles of the Royal Exchange."

"An Act for extending the Monmouthshire Canal Navigation, and for explaining and amending an Act passed in the thirty-second year of the reign of His Majesty, for making the said Canal."

"An Act for enlarging and improving the harbour of Aberdeen, for building new quays, wharfs, and docks, and for making new roads and passages, and widening others, leading to and from the said harbour."

"An Act for extending the term, and amending and enlarging the powers

powers of an Act, passed in the nineteenth year of the reign of his present Majesty, intituled, "An Act for making and repairing several roads round the city of "Bristol," and for making and keeping in repair a road from the Turnpike Gate, at the sign of the Black Birds, on the Stapleton and Mangotsfield common road, into the Bitton and Taghill common road."

"An Act for granting to his Majesty additional duties on Distilleries, in the several parts of the Highlands of Scotland, therein particularly described, for a limited time, and for regulating the duties on Distilleries in the respective districts in Scotland."

"An Act for granting to his Majesty the sum of two hundred thousand pounds, to be issued and paid to the Governor and Company of the Bank of England, to be by them placed to the account of the Commissioners for the reduction of the national debt. "An Act for granting to his Majesty several additional duties on inhabited houses."

"An Act for granting to his Majesty an additional Stamp Duty on Deeds."

"An Act for granting to his Majesty additional duties on certain Horses, before charged with a duty of Two Shillings, by an Act of the thirty-sixth year of his present Majesty's reign, and on Mules."

"An Act for granting to his Majesty certain duties on Clocks and Watches."

"An Act for granting to his Majesty additional duties on Male Servants."

"An Act for granting to his Majesty additional duties of Customs on certain goods, wares, and merchandize imported into, exported from, and carried coastwise, and on Pepper to be used and consumed in this kingdom."

"An Act for granting to his Majesty a certain sum of money to be raised by a lottery."

"An Act for raising certain sum of money Loans or Exchequer bills, for the service of the year one thousand seven hundred and ninety seven."

"An Act to prevent the counterfeiting any copper coin in this realm, made or to be made, current by Proclamation, or any foreign gold and silver coin, and to prevent the bringing into this realm, or uttering any counterfeit foreign gold or silver coin."

"An Act for the better preventing the forging or counterfeiting the names of witnesses to letters of attorney, or other authorities or instruments, for the transfer of Stocks or Funds, which now are, or by any Act or Acts of Parliament shall hereafter be, made transferable at the Bank of England, or for the transfer of any part of the capital stock, of the Governor and Company of the Bank of England, called Bank stock, or for the transfer of any part of the capital stock, or any stocks or funds, under the management of the South Sea Company, or for the transfer of any part of the capital stock of the East-India Company, or for the receipt of dividends upon any such stocks or funds."

"An Act for making allowances, in certain cases, to subaltern officers of the Militia in time of peace."

"An Act for regulating the trade to be carried on with the British possessions in India by the ships of nations in amity with his Majesty."

"An Act for regulating the shipping and carrying slaves in British vessels from the coast of Africa."

"An Act to raise and embody a Militia force in that part of the kingdom of Great-Britain, called Scotland."

"An Act for authorizing his Majesty to permit the exportation of an additional quantity of Wheat, Wheat Meal, or Flour, Rye, Barley, or Malt, or Bread Biscuit, or Peas, to the islands of Guernsey, Jersey, and Alderney, for the sustenance and use of the inhabitants of the said islands, for a limited time."

"An Act to make perpetual an Act, passed in the fifth year of the reign of his present Majesty, intituled, "An Act to prevent the committing of frauds by Bankrupts."

"An Act to amend an Act, made in the thirty-third year of the reign of his present Majesty, intituled, "An Act for the encouragement of Seamen, and for the better and more effectually manning his Majesty's navy, and for making further provision for those purposes."

"An Act to repeal so much of an Act, made in the fifth year of the reign of his late Majesty King George the Second, intituled, "An Act for the more easy recovery of Debts in his Majesty's Plantations and Colonies in America," as makes Negroes Chattels for payments of Debts."

"An Act for regulating the height between decks of vessels entered outwards, for the purpose of carrying Slaves from the coast of Africa."

"An Act further to continue an Act made in this present session of Parliament, intituled, "An Act to suspend, for a limited time, the operation of two Acts, of the fifteenth and seventeenth years of the reign of his present Majesty, for restraining the negotiation of Promissory Notes and land Bills of Exchange, under a limited sum, within that part of Great-Britain, called England," as revived, amended, and continued by a subsequent Act of this session, passed for the purpose of reviving, amending, and continuing the same; and also for continuing such subsequent Act."

"An Act to explain an Act, passed in the thirty-fifth year of his present Majesty's reign, intituled, "An Act for further encouraging and regulating the "Southern Whale Fisheries."

"An Act for more effectually preventing the administering or taking of unlawful oaths."

"An Act to shorten the time, now required, for giving notice of the royal intention of his Majesty, his heirs and successors, that the Parliament shall meet and be holden for the dispatch of business; and more effectually to provide for the meeting of Parliament in the case of a demise of the Crown."

"An Act for the relief of certain Insolvent Debtors."

"An Act for assessing the Commissioners of the Tax Office, and their officers, to the Land Tax, in the district called offices executed in Westminster-Hall, notwithstanding the removal of the said Tax Office into Somerset House."

"An Act for enlarging, deepening, improving, and maintaining the harbour of Saltcoats in the county of Ayr."

"An Act for discontinuing the new harbour of Rye, in the county of Sussex, and for repealing several Acts relating thereto, and for providing for the discharge of a debt accrued on account thereof, and for making reparation, for certain losses, and for the improvement of the old harbour of Rye."

"An Act for supplying the borough town of Weymouth and Melcombe Regis, and the parts adjacent, in the county of Dorset, with water."

"An Act for building a bridge over Bursledon River, at or near the ferry of Bursledon, in the county of Southampton, and for making a road from

from the intended bridge over the River Itchir, at or near Northam, within the liberties of the town and county of the town of Southampton, to the said bridge, and from thence to Titchfield, in the said county of Southampton."

"An Act for amending, altering, improving, and keeping in repair the road leading from the town of Cambridge, in the old north road, near Arrington Bridge, all in the county of Cambridge."

"An Act for enlarging the term and powers of an Act, passed in the thirtieth year of his present Majesty's reign, intituled, "An Act for making and repairing the road from Newmilsn Bridge, by Foodie's Mill, Inverkeithing, Aberdour, Kilkcaldy, Gallatown, and Cameron Bridge to Craill, and other roads in the county of Fife," and for making and repairing other roads in the said county."

"An Act for enabling Thomas Macklin to dispose of his collection of modern paintings, as now exhibited at his Gallery in Fleet-street, by way of chance."

July 20. "An Act for granting to his Majesty a certain sum of money out of the Consolidated Fund; and for applying certain monies therein mentioned for the service of the year one thousand seven hundred and ninety-seven; for further appropriating the supplies granted in this session of Parliament, and for making forth duplicates of Exchequer Bills, Lottery Tickets, Certificates, Receipts, Annuity Orders, or other orders, lost, burnt, or otherwise destroyed."

"An Act for granting to his Majesty a further additional duty on Horses kept and used for the purpose of riding, or of drawing certain carriages therein mentioned."

"An Act to explain and amend an Act, passed in the thirty sixth year of his Majesty's reign, intituled, "An Act for repealing certain duties on Legacies and shares of Personal Estate, and for granting other duties thereon in certain cases."

"An Act to enable the Commissioners of Stamp Duties to stamp Deeds and other instruments, Bills of Exchange, Promissory and other Notes, in the cases therein mentioned."

"An Act for the better administration of justice at Calcutta, Madras, and Bombay, and for preventing British subjects from being concerned in loans to the native Princes in India."

"An Act to continue an Act, made in this present session of Parliament, intituled, "An Act to revive and continue for a limited time, and amend an Act passed in the present session of Parliament, intituled, "An Act to allow the Banks, and certain Banking Companies, in that part of Great-Britain, called Scotland, to issue Notes for Sums, under a certain amount, for a limited time, and for indemnifying all persons who have Notes for small sums of money in that part of the united kingdom," for a limited time."

"An Act for allowing a further time for carrying into execution certain powers continued in two Acts of the present session of Parliament, for raising a Provisional Cavalry, so far as the same relates to the registering and accepting of volunteers in lieu of the said Provisional Cavalry, in such counties and subdivisions of counties, wherein the said Acts have not been carried into execution."

"An Act to enable his Majesty more easily and effectually to grant conditional pardons to persons under sentence by naval Courts Martial, and to regulate imprisonment under such sentences."

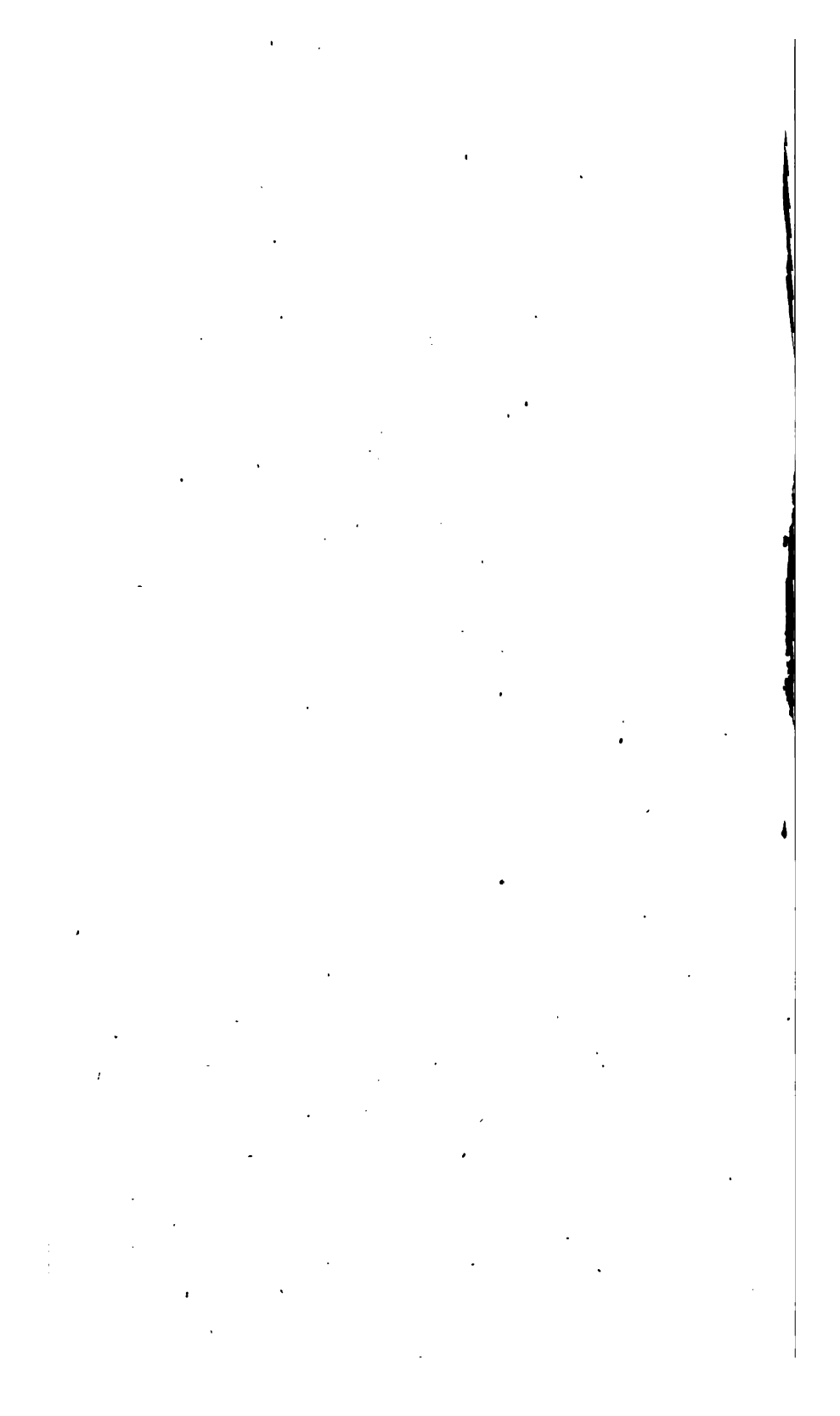
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" An Act to enable the Deputy of the Clerk of the House of Commons, for the time being, to send and receive letters and packets free from the duty of Postage."

" An Act to explain and amend an Act, made in the thirty-fifth year of the reign of his present Majesty, intituled, " An Act for the more effectual prevention of the use of defective Weights, and of false and unequal balances."

" An Act to amend an Act made in the twenty-second year of the reign of his present Majesty, intituled, " An Act for better securing the freedom of elections of Members to serve in Parliament, by disabling certain officers employed in the collection or management of his Majesty's Revenues, from giving their votes at such elections," by extending the provisions thereof to persons voting in any Meeting of Freeholders for preses or clerk, or on any question relative to the adjustment of the rate of Freeholders in that part of Great-Britain called Scotland; and for empowering Freeholders to administer the oath of Trust and Possession to persons offering to vote for preses and clerk.

APPENDIX, &c.



APPENDIX,

CONTAINING

TREATIES, STATE PAPERS, PARLIAMENTARY
REPORTS, AUTHENTIC DOCUMENTS, &c.

R E P O R T

Of the SECRET COMMITTEE appointed by the LORDS' COMMITTEES to enquire into the Causes which produced the Order of Council of the 26th of February 1797.

HAVING examined many witnesses, and called for several papers and accounts, have agreed to report the minutes of their proceedings, together with such papers and accounts, as will be found in the Report.

The Lords of the Committee will conclude their Report with a summary of the principal points which relate to the said causes, as resulting from the evidence and the accounts.

[Here follow the examinations of the witnesses, and the evidence of each distinctly; and after that a variety of papers and accounts from the Bank, Custom-House, East-India-House, Mint, Transport-Office, &c. &c.]

The Report concludes with the following summary:

The Lords of the Committee think proper to conclude their Report, with a Summary of the chief points which have occurred in their enquiry respecting the causes, that produced the order of Council of the 26th of February last, as resulting from the evidence taken by them, and from the accounts laid before them.

In order to render the subsequent details relative to this important subject more intelligible, the Committee think it right to begin with taking a general view of the state of the circulation of the kingdom.

It appears by the evidence, that the circulation of this kingdom, by which its immense commerce is carried on, consists principally, in the metropolis and its neighbourhood, either of the notes of the Bank of England, or of coin chiefly made of gold. In the country (where the notes of the Bank of England did not circulate to any great amount) it consists of the bills of country bankers, or of the banking companies in Scotland, payable to bearer on demand; and of coin of the description before mentioned.

Inland bills of exchange are thought by many to be a part of the circulation of the kingdom. They are not strictly so in the same sense as the two sorts of paper before mentioned. They are rather transfers of debts from the drawers to the persons on whom the bills are drawn. They are generally made payable at distant periods; and as they are not payable at all times on demand, they cannot, like the former, answer all the purposes of cash.

In the metropolis the quantity of paper much exceeds the quantity of coin in circulation. The Committee have no sufficient means before them to judge of the proportion of cash and paper in the metropolis, except as far as any inference can be drawn from the quantity of cash paid at the Bank compared with the amount of the notes issued by that corporate body, as stated in the evidence of Mr. Newland, principal cashier of the Bank; and particularly from the proportion of cash paid quarterly at the Bank, in discharge of the dividends of the public stocks, a part of which only is received by bankers, the remainder by persons of every description.

But in the country, and particularly in those parts of it where no considerable manufactures are established, and no great commercial enterprize is carried on, there is reason to conclude that the quantity of paper exceeds in a less proportion the coin in circulation than in the metropolis. It must vary according to circumstances of time or place; and the Committee have no information which enables them to form a judgment on this subject. It can hardly, however, be doubted, that there is too little of British coin, particularly of silver, current in the kingdom, from a cause which will be hereafter stated.

The Bank of England is at the head of all circulation. It is the great repository of the spare cash of the nation, and alone carries bullion to the mint to be coined. It is subject, on that account, to be called on for cash, directly or indirectly, by those who are in want of it, and is necessarily sensible of every material failure or distress, which arises from any deficiency or want of coin, in every part of this kingdom or Ireland.

It appears that the circulation of paper was carried to its greatest height a short time previous to the beginning of the year 1793.

But early in that year a great diminution took place in the circulation of country bank bills, from the sudden failure of many of the country banks. Mr. Ellison states, that previous to this period there were about 280 country banks in England and Wales, and that he does not believe they exceed at present 230; the business of which has by no means increased in proportion to the reduction of the number; and that the issue of country bank bills has considerably diminished; that the quantity of specie actually kept by the present country bankers is, at this time, larger than it was before the year 1793, and that they have lessened their balances with the London bankers.

Mr. Thornton's evidence confirms the account given by Mr. Ellison

Ellison of the failure of the country banks in 1793, and of the consequent diminution of the circulation of country bank notes at that time. Subsequent to this event these country bank bills increased again in some degree, but never to their former extent. Both Mr. Thornton and Mr. Ellison are of opinion, that considerable quantities of cash must have been drawn from the metropolis into the country, in order to supply the deficiency of these country bank bills.

In the beginning of the year 1793, when, from the causes before mentioned, the circulation of this kingdom began to be so much diminished, the present war commenced. A state of war always requires a more ample circulation, even within the kingdom. The public loans, which in all wars are necessary, and in the present war have been particularly great, employ a considerable portion of the circulating capital. The present increased value of money, which is sufficiently proved by the high rate of interest, clearly shews what must be the demand for it, and consequently the scarcity of it. But during the present war, it is worthy of remark, that expensive enterprises of a private nature have not diminished, as in all former wars, but even augmented. It appears by an account inserted in this Report, that the number of bills of inclosure which passed in the four years preceding the present war was 138, and that the number which had passed during the four years of the war was 283. The number of bills for navigations and canals which passed in the four years preceding the present war was 30, and that the number which have passed during the four years of the war was 69. And further, that the sum authorized to be borrowed for the making those canals and navigations was, in the first four years, £.2,377,200; and in the last period of four years £.7,415,100.

But the demand of money for public expences abroad, more particularly applies to the present subject: The loan made to the Emperor in the year 1795 of £.4,600,000; the subsidies paid to foreign princes; the money remitted for the pay of British troops, or foreign troops in British pay, while this kingdom had an army on the continent; and the advances made to the Court of Vienna; together with the money sent to the West-Indies and the Cape of Good Hope, for the pay of British troops there; if they did not altogether draw British coin out of the country in any great amount, must at least have prevented that influx of coin or bullion which, in consequence of a favourable balance of commerce, would have otherwise supplied the circulation of the kingdom. Mr. Boyd, however, in his evidence, states, that in remitting the Imperial loan, as well as the advances to the Emperor, he never sent any British coin out of the kingdom (which could not, indeed, legally be done); and that in remitting the said loan, he sent in foreign coin, or bullion, to the amount only of about £.1,200,000. That the remainder of the loan, and the whole of the advances, were remitted in bills of exchange. It is obvious, however, that the drains

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occasioned by expenditure abroad for purposes before mentioned (large as the amount of them may have been), are nothing more than what has happened in all former wars, in which the Government of Great-Britain has found it essential for its interests to maintain armies on the European continent, or at any great distance from the kingdom.

It appears by an account inserted in this Report, that all the remittances made for the services of the war in the West-Indies, on the continent of Europe, in the island of Corsica, and other distant parts of the world, amounted, during the four last years, to £.33,510,779 *or*. 7½*d*.

It appears in another account inserted in this Report, which has distinguished the sums expended on the European continent from what were expended in other distant parts of the world, that the total of the money expended on the continent of Europe during the said four years, including the Imperial loan and the advances made to the Emperor, amounted to £.14,988,422 *gr*. 8½*d*.

It appears, lastly, by a third account inserted in this Report, that the sums paid for all sorts of military services on the continent during the war ending in 1763, amounted to £.20,626,997 *or*. 7*d*.

To the sums sent, during the present war, to the European continent, to the West-Indies, and the Cape of Good Hope, for military purposes, should be added the sums drawn for by the commanders of our fleets on foreign service in every part of the world.

It appears, on the other hand, by the accounts of the value of the imports and exports for the last twenty years, produced by Mr. Irving, Inspector General of Imports and Exports, that the demand for cash to be sent abroad, for the purposes before mentioned, was greatly compensated by a very large balance of commerce in favour of this kingdom, greater than was ever known in any preceding period. The value of the exports of the last year amounted, according to the valuation on which the accounts of the Inspector General are founded, to £.30,424,184; which is more than double what it was in any year of the American war, and one third more than it was on an average during the last peace, previous to the year 1792; and though the value of the imports to this country has, during the same period, greatly increased, the excess of the value of the exports above that of the imports, which constitutes the balance of trade, has augmented even in a greater proportion.

It is particularly observable, that the exports to Germany alone, for the two last years, have amounted to more than £.8,000,000 annually; when, in time of peace, they did not usually amount to more than £.1,900,000. And those exports to Germany exceed in amount by at least £.2,600,000, the whole that was annually exported in time of peace to France, Flanders, Holland, and Germany.

The House will see in the evidence of Mr. Irving much information, for the purpose of shewing that all our principal articles
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of export, particularly those which consist of British manufactures, are greatly underrated in their value, as well as many capital articles of import. Coffee is the only material article which appears to be overrated in the books of the Inspector General; it is more overrated on exportation than on importation. The valuation, upon which the accounts of the Inspector General are founded, was settled in the year 1696, or 1697, when the prices of all these articles were greatly inferior to what they are at present, and before our manufactures had received the improvements which have been made in them of late years, so that the real value of both our imports and exports, particularly the latter, is certainly considerably higher than is stated in his accounts. The House will also see many excellent observations, in the evidence of this Gentleman, for the purpose of correcting the manner of taking the true balance of our trade. He observes, that in forming this balance, many articles of import are stated as unfavourable to this country, when they are, in fact, accessions of wealth, such as the produce of our various fisheries, and a considerable part of the imports from our possessions in the East and West-Indies. The whole of the produce of these fisheries is certainly an accession of national wealth. So much therefore as is imported directly into this country, must be considered as an increase of stock to it. The value of such parts as are sent directly from the fishing places to foreign countries, and sold there, is either remitted in bills of exchange, which is wealth, or it is laid out in the purchase of commodities to be imported into this country, which is an increase of stock. This produce is procured, not by any wealth sent from this country, but by the adventurous enterprise of our fishermen; and the value of such produce, when it is sent directly from the fishing places to foreign countries, cannot appear in any Custom-house account. In like manner, a considerable part of the imports from the East and West-Indies, ought not to be stated in the balance of our commerce as unfavourable to this country; particularly such parts of the investments in the East-Indies as are purchased by the revenues of the British settlements there; as well as those parts which are imported either from the East or West-Indies, for the purpose of remitting private fortunes acquired there, or as the income of persons who, having estates or mortgages in the West-Indies, reside and spend their incomes in Great-Britain. The value of such part of these imports as is re-exported, will appear on the export side of the account, and serves to balance the value of the same articles as stated on the import side; and the whole of the mercantile profit which they leave behind, is in itself a considerable accession of wealth to this kingdom that cannot appear in the Custom-house accounts.

Mr. Irving has delivered it as his opinion, that the true balance of our trade amounted, on a medium of the four years preceding January 1796, to upwards of £6,500,000 per annum, exclusive of the profits arising from our East and West-India trade, which
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he estimates at upwards of £4,000,000 per annum; and exclusive of the profits derived from our fisheries.

But whatever uncertainty may still remain in forming an estimate of the true balance of our commerce in any particular year, the accounts of the Inspector General of Imports and Exports, serve at least to afford a good comparative state of the amount of our commerce in different years; for it is fair to presume that the defects are not greater in the accounts of one year than on another.

Great, however, as this balance of commerce may appear, it would have been still greater in a very considerable degree, but from the unusual scarcity of grain, which made it necessary both for Government and individuals to import large quantities of grain for the relief of the inhabitants of this kingdom. In an account delivered by Mr. Claude Scott, an eminent corn factor, it appears, that for the three years preceding the 5th of January 1797, there were paid to foreign countries for grain imported into this kingdom, the following sums, viz.

In 1794	—	—	£.1,983,856
In 1795	—	—	1,535,672
In 1796	—	—	3,926,484
			<hr/>
			7,446,012
Add, imported in 1793, as estimated by Mr. Scott in his evidence before the Committee	—	—	1,500,000
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Total			£.8,946,012

This balance of commerce was also rendered less favourable by the great sums paid for naval stores during the war beyond what are usually paid in time of peace. It appears by an account presented by the Commissioners of his Majesty's navy, that the value of naval stores imported on account of his Majesty's navy in the four years previous to 1797, amounted to £.7,825,876

And in the four years preceding 1793, amounted only to — — 2,500,139 Excess.

£.5,325,737

And it appears by an account presented of the amount of bills drawn on the Commissioners for victualling, from foreign parts, in the four years ending the 5th of Jan. 1797, that they amounted to £.1,368,921

And in the four years ending the 5th of January 1793, to — — 134,629

1,234,292

Total Excess £.6,560,029

Though it cannot be doubted that the balance of our trade, even with these deductions, must have brought great wealth in various articles of commerce into this kingdom, and that unusual quantities of

of foreign merchandize must, in consequence thereof, have been deposited in it; yeti tmay be doubted whether it brought so great a quantity of the precious metals, to be converted into coin, as in former periods; for it appears in the evidence of Sir John Hort, who was his Majesty's Consul General in Portugal for twenty-nine years, and of Mr. Whitmore, an eminent Portugal merchant, that the importation of gold and silver bullion, from Lisbon into this kingdom, has been less than it was formerly; and that the exchange between Lisbon and London, which used formerly to be greatly in favour of London, has of late, from a variety of circumstances, been sometimes in favour of, and sometimes against this country, and for the last three years more against this country than in its favour, from causes which are fully explained in the evidence of those Gentlemen. Mr. Whitmore adds, that the quantity of silver which as of late been imported has greatly exceeded the quantity of gold. But as the Mint price of silver bullion has been, during nearly the whole of the present century, considerably less than the market price of this precious metal, the silver bullion so imported could not be converted into coin, but after having left a quantity sufficient for the use of our manufactures, must have again been exported, and did not contribute in the smallest degree to augment the coin in this kingdom.

The accounts presented by the officers of the Mint of the quantity of bullion coined in the last four years, shew that the quantity coined at the Mint in 1795 amounted only to £.493,416, and in 1796 to £.464,680, which is not more than a sixth of what was brought to the Mint to be coined in the two preceding years, and greatly inferior to what had been coined, upon an average, of the former years of his Majesty's reign.

By an account presented by Mr. Irving of the quantity of bullion exported from this country from the year 1790 to 1796, both inclusive, it appears that the quantity of gold bullion exported, on an average, in the last four years, being years of war, is not a third of what was annually exported on an average in the preceding years of peace; and that the quantity of silver bullion exported in the four last years, being years of war, is also not a third of what was annually exported, on an average, in the three preceding years of peace; and this account receives a certain degree of confirmation from the accounts delivered in by the East-India Company of the amount of Spanish dollars exported by the Company, or permitted by the Company to be exported by private persons, which prove that in the last three years the amount of Spanish dollars exported has been less than usual.

The Committee wish to throw further light on the subject, by obtaining an account of the amount of gold and silver coin or bullion imported into this kingdom in the before-mentioned periods; but they find, that by a law passed in the 15th year of the reign of his late Majesty Charles II, ch. 7, sec. 12, coin and bullion are exempted from entry at the Custom-house on importation into this

kingdom; so that the officers of the Customs could not produce an account of any such importation.

There are, however, other circumstances in evidence before the Committee which may have contributed to render less perceptible, hitherto at least, the advantages arising from the influx of wealth into this kingdom, in consequence of a favourable balance of trade.

It was observed by Henry Thornton, Esq. (and it is indeed self-evident), that in proportion as the commerce of this country increases, a greater capital is necessary for carrying it on; and also, that any given quantity of commerce, in time of war, by the increased expenses of freight, insurance, and mercantile charges, requires a greater capital than the same quantity of commerce in time of peace. These two circumstances must have had considerable influence, in the course of the last three years, upon the circulating cash and paper of the kingdom, especially when it is considered that, from causes already assigned, the circulation of paper was considerably diminished; and Mr. Bosanquet, a Bank Director, in assigning the causes of the great pressure on the Bank, for want of cash, in the year 1783, is of opinion, that the drain of cash at that time proceeded from the great extension of commerce which followed the peace, and which occasioned so large an export of the commodities of this country, that the circulation was hardly sufficient to support it.

It appears lastly, by the evidence of the Bank Directors, that in consequence of the long credit given by our merchants, the payments for the great quantities of our manufactures, produce, and other merchandize exported, do not take place till a considerable time after their exportation, though a great additional capital has been previously employed in providing the articles so exported. The balance of payments, which arises out of the balance of trade, is necessarily posterior to it; and in countries like Great-Britain, where long credits are given, it may not produce its full effect upon our circulation for a considerable time.

The result of all the various circumstances before stated, does not appear on the whole, to have produced any permanent disadvantageous effect on the cash of the Bank till the month of September 1795: the cash of the Bank had, indeed been much lower than usual in March and June 1793; but it rose in the September of that year nearly to its usual average. From September 1793, however, it continued progressively declining, so as to be, during the whole of the year 1796, considerably less than in the year 1795, but not lower at the end of 1796 than in the middle of that year; and in the commencement of the present year, still less than in the year 1796; and in the week preceding the issuing of the order of Council, it diminished rapidly: it was not, however, even at that period, in any degree so low as in the year 1783, and particularly in the month of October of that year.

The conferences between the Chancellor of the Exchequer and the

the Governor and Deputy Governor of the Bank, on the apprehensions they entertained of the diminution of their cash, and the representations made by them, from time to time, on the effect which foreign loans and remittances had on the state of their cash, will appear by the evidence of the said Governor and Deputy Governor, and other Directors of the Bank, when they attended the Committee, either as a deputation or in their individual capacity, as well as from the minutes of those conferences and the copies of the resolutions delivered by them to the Chancellor of the Exchequer: it will appear also, from the evidence of the Chancellor of the Exchequer, and from the letters written by him to the Governor of the Bank; all which are inserted in this Report, and to which the Committee think it more proper to refer the House than to give a summary of them.

The accounts before inserted, and the evidence just referred to, will also shew what was the nature of the advances made by the Bank to Government—upon what funds or credit they were made—what was their amount at different periods—how far the amount of those advances, during the present war, have exceeded those usually made in time of peace—how far they have exceeded those made in the last war—and whether they were greater or less, immediately previous to the issuing the order in Council of the 26th of February, than at any preceding period.

The Committee were desirous of throwing further light on this subject, by laying before the House some accurate account of the exchanges between Great-Britain and other countries; as these, when they can be correctly ascertained, afford a good criterion of the balance of payments between Great-Britain and other countries, and thereby shew, whether there is reason to conclude that any coin or bullion have been exported or imported. At present, the only places with which there subsists any regular course of exchange with Great-Britain, are Lisbon and Hamburgh. At this last place a great proportion of the accounts between Great-Britain and the northern parts of Europe is now settled and paid. The par of exchange with Lisbon can be accurately stated; it is 67½. It has already been shewn, from the evidence of Sir John Hort and Mr. Whitmore, how far the exchange between London and Lisbon has been of late to the disadvantage of this country; and their account of it is fully confirmed by a statement of the course of exchange, taken from Castaing's papers, inserted in this Report.

With respect to the exchange between Great-Britain and Hamburgh, the Committee have not been able to decide, to their satisfaction, what is the actual par of exchange between London and Hamburgh. The witnesses they have examined have widely differed with respect to the par of exchange between those places. The Committee, however, have inserted in the minutes of the evidence the answers of Mr. Boyd to two questions put to him, and a paper presented to this Committee by one of the Members of it, which throw considerable light on this intricate subject, and will account,

in some degree, for the difficulty the Committee had experienced in determining, with sufficient accuracy, the par of this exchange.

The mercantile accounts in Hamburg and London have a reference to different metals. Silver appears to be the common coin of Hamburg, and gold is, in that place, rather to be considered as a commodity. Gold is the mercantile coin of Great-Britain, and silver has been for many years only a commodity, which has no fixed price, and is very rarely carried to the Mint to be coined, but varies according to the demand for it at the market. The market-price of these precious metals appears also to have an influence on the banco money of Hamburg, in which the exchanges are reckoned. It is probable that to these circumstances is to be imputed the difficulty of determining the par of exchange between London and Hamburg. On the present subject, therefore, all that the Committee can say with certainty is, that according to the evidence of the Governor of the Bank of England (which is confirmed by a paper annexed), the exchange with Hamburg ceased to be unfavourable to this country in March 1796, became more favourable in the month of October last; and that it continued favourable till the 26th of February, when the order of Council was issued; and that it continues so still.

The Committee have hitherto stated the several points relating to the more remote causes, by which the circulation of the kingdom, and the general state of the Bank, may have been affected. They proceed now to those which immediately preceded the 26th of February last, and more directly contributed to the necessity of the order of Council, which was issued on that day.

It appears from the evidence of Mr. Ellison, that a few weeks previous to the 26th of February, two great mercantile banks at Newcastle stopped payment in cash, owing to the effect of a local alarm, similar, as stated by this Gentleman, to that in 1793, which occasioned most of the country bankers to draw large sums of money from the metropolis, and induced them to keep in store larger quantities of specie than before the year 1793, in order to make their payments, if such should be required of them. Mr. Thornton confirms in general this account given by Mr. Ellison. He agrees also with Mr. Ellison with respect to the demand for cash made on the metropolis by the country bankers, for the purpose of being sent to different parts of the kingdom, where it is partly kept by the country bankers for the uses before mentioned, and partly drawn out of their hands by individuals to be hoarded.

It appears by the evidence of Mr. Thornton that there was, at this time, also a demand of cash to be sent from the metropolis to Scotland.

But those demands for cash from the distant parts of the kingdom, were not the only causes of the embarrassments of the Bank of England at this period. It is stated in an account delivered by Mr. Puget, one of the Directors of the Bank of England, and agent for the Bank of Ireland, that in the commencement of the year

year 1797 there was an unusual demand of cash made on the Bank of England to be sent to Ireland; and that there was an expectation of a loan being intended to be raised in Great-Britain for the service of Ireland, which would have necessarily occasioned the exportation of a considerable quantity of coin from the metropolis to the latter kingdom. It is proper to add, that the kingdom of Ireland appears, for some weeks previous to the issuing of the order of Council of the 26th of February, to have experienced a great want of cash, similar to that which was experienced in Great-Britain.

There is a circumstance that throws considerable light on one, at least, of the causes which produced this great demand for cash on the Bank. It appears by the account of the state of the cash at the Bank, at different periods, as laid before the Committee, that the greatest drain of cash which the Bank has experienced, subsequent to the year 1783, was in March and June 1793, that is, a short time after the failure of the country banks in that year; and in the commencement of the month of February of this year, that is, a short time after the Newcastle banks stopped payment in cash, and when the alarms before stated produced great demands for cash from different parts of the country; so that, in both those periods, the same cause appears to have produced an effect nearly similar, that is, a very unusual drain of cash from the Bank.

The increased demand for cash must bear a proportion to the decrease of any other sort of circulation that is a substitute for it. The Committee will presently shew to what degree the circulation of the notes of the Bank of England had been diminished, immediately previous to the 26th of February last. With respect to the decrease of country bank bills in circulation, Mr. Thornton, who appears to have collected his evidence from several parts of the kingdom with great accuracy, was desired by the Committee to deliver in an account of the proportion in which, according to his information, country bank bills circulated in different parts of the kingdom, before the failures in 1793; at a period subsequent to that year; and at the present time. This account may be seen at large in the evidence; but the result is, that at the present time the circulation of these bills is in one part of the kingdom not more than about a third; in another, not more than half; and in a third, but a sixth, of what was in circulation before the year 1793: and the Committee have already endeavoured to shew, in a former part of this Summary, to what degree the means of coining, and, in consequence thereof, the regular supply of new coin (which alone could fill up the void occasioned by this decrease of circulating paper) had diminished of late years.

From the evidence of the Governor of the Bank, and from the report of the last Secret Committee, which has been laid before this Committee, it appears, that it was not singly the diminished state of their cash which gave the directors any great alarm; the Governor and Mr. Bosanquet rather impute this alarm to the pro-
gref-

gressively increasing demands for cash upon them, particularly in the week preceding the 26th of February, and to the reasons they had to apprehend that these demands, and the consequent progressive reduction of cash, would continue and even increase; and they add, that this drain was in great part owing to demands for cash from the country, such demands being made upon the Bank indirectly from the country, but directly from the bankers of London, who were to supply the country.

The Directors of the Bank, under the impression which these alarms and embarrassments had occasioned, appear to have judged it prudent to diminish their notes in circulation, and the consequent demands that might come upon them, so as to make the demands more nearly correspond with the state of their cash. It will be seen in the accounts presented to the Committee, of the amount of Bank notes in circulation at different periods, that the average amount of Bank notes in circulation at different periods, that the average amount of these notes in circulation for several years previous to the end of the year 1796, may be stated at between £.10,000,000 and £.11,000,000, hardly ever falling below £.9,000,000, and not often exceeding, to any great amount £.11,000,000. It will appear by one of the afore-mentioned accounts, that in the latter end of the year 1796, and in the beginning of 1797, the amount of the Bank notes in circulation was less than the average before stated; and on the 25th of February last, it was reduced to £.8,640,250.

It is true, that in an account presented to the Committee of the amount of Bank notes in circulation in the years 1782, 1783, and 1784, the quantity was then generally even less the sum last mentioned; but at that time the foreign commerce of the kingdom was not even one half of what it is at present, as will be seen in the account of imports and exports inserted in this Report.

It is not probable that the reduction of Bank notes to £.8,640,250, immediately previous to the issuing the order in Council of the 26th February, was owing to any diminution of the demands for them; for at that time the merchants of London were subject to difficulties from not being able to get their bills discounted.

The Directors of the Bank had, on the 31st December 1795, come to a resolution to diminish their discounts; but notwithstanding that resolution, they did not diminish the amount of their discounts in the course of the year 1796, compared with what they were in 1795, but had rather increased them, not however to such an extent as to make them correspond with the wants of the commercial world. A considerable degree of distress consequently ensued, which distress may also be imputed to another cause in evidence before the Committee. By law no man is to take more than £.5 per cent. interest for money lent or advanced by him; and this restriction is understood to apply to bankers in the business of discounting; so that in time of war, when a much greater interest than £.5 per cent. can be made of money upon Govern-
ment

ment securities, the discounts which merchants obtain from bankers and other individuals, are necessarily much diminished, and they are forced, on that account, to resort directly to the Bank.

Some of the persons whom the Committee examined on this part of the subject, have expressed a strong opinion of the inconvenience produced by the conduct of the Bank in diminishing their notes in circulation, and in restricting their discounts.

One of these persons is of opinion, that an increased quantity of Bank notes, proportioned to the increased occasion for them, must tend to prevent a demand for guineas rather than to promote it; and that if the quantity of notes issued is very considerably less than the occasions of the mercantile world require, a run upon the Bank will be the consequence. He is of opinion also, that the Directors of the Bank do not avail themselves of the full extent of their credit; and that the caution necessary to be observed by private bankers in the amount of their bills, does not apply to the case of the Bank of England, for several reasons which he assigns. A great quantity of Bank notes, in his opinion, is absolutely necessary for the circulation of the metropolis; and that in this respect it is immaterial whether these notes are issued for advances made to Government, or in discounts to private persons, except that in the last case, those whose bills are discounted to a greater extent, may suppose that more relief is granted to them. He allows, however, that as the Bank discounts, even in time of war, at $\text{£}5$ per cent. there may be a greater disposition to borrow of the Bank at $\text{£}5$ per cent. than it may be prudent always for the Bank to comply with.

Another of those Gentlemen is of opinion, that the resolution of the Bank to restrict their discounts excited an alarm and distrust that led to an increase of the drain of the cash; that it has contributed also to the forced sale and depreciation of public securities, and to other embarrassments occasioned by an insufficient supply of Bank notes and cash; which supply has not kept pace with the demand arising from the employment and circulation of active capital, particularly for the last fifteen months: and he is also of opinion, that it would not signify materially to the public, whether the quantum of Bank notes introduced into circulation was created by discounting bills for the merchants, or by advances to Government.

The Committee have judged it right to state the causes assigned by these Gentlemen of the distress that has lately prevailed from the want of sufficient means of circulation in commercial transactions: the Committee, however, do not mean to decide whether the Bank Directors might not have solid reasons for their conduct in this respect, or to convey any opinion on this doubtful and delicate question, but conceive it their duty to call the attention of the House to a point of so great importance, and refer the House to the arguments stated more at large in the evidence.

The Committee have thus gone through the chief points which have occurred in their enquiry respecting the causes which produced

dated the order in Council of the 26th of February last, as resulting from the evidence taken by them, and the accounts laid before them. They submit the same to the consideration of the House; but as the minutes of their proceedings are inserted in the former part of this Report, and as the House is thereby possessed of the evidence on the whole of this subject in great detail, the Members of it will be enabled to supply any omissions, and to correct any defects which may be found in this Summary.

The Committee being desirous of confining themselves to those matters on which they have thought proper to call evidence, and sensible of the difficulty (even at all times) of appreciating the extent and influence of alarm, forbear from adverting to the effects produced upon the state of pecuniary transactions and circulation by the apprehensions of invasion generally prevalent towards the close of the last year and in the beginning of the present, but of which the operation must, doubtless, have been considerable. Nor will they attempt to estimate how far the interruption given to the banking operations of many great commercial cities, by the troubles and calamities which have agitated Europe, and the entire ruin of many commercial houses and establishments, may have tended to derange the accustomed course and confidence of general circulation.

The Committee think it sufficient merely to enumerate considerations of such general notoriety, and to submit them, without further observation, to the wisdom of the House.

THIRD REPORT

OF THE COMMITTEE OF SECRECY OF THE HOUSE OF COMMONS.

The COMMITTEE of SECRECY, appointed to examine and state the total amount of outstanding demands on the Bank of England, and likewise of the funds for discharging the same; and to report the result thereof to the House, together with their opinion on the necessity of providing for the confirmation and continuance, for a time to be limited, of measures taken in pursuance of the Minute of Council on the 26th of February last; and who were empowered to report their proceedings from time to time to the House; and who were instructed to enquire into the necessity of issuing the Minute of Council of the 26th of February, and to report their opinion to the House concerning such necessity, and what should appear to them to have been the causes which produced the same,

Having reported upon the two first objects of their enquiry, have, pursuant to the instruction given them by the House, proceeded to enquire into the necessity of issuing the said minute of Council; and your Committee find,

That the cash and bullion in the Bank having been considerably reduced between the month of June 1795 and the 21st of February

1797.

1797, was on that day in so low a state, as to induce the Directors of the Bank to lay before the Chancellor of the Exchequer the precise amount, together with their apprehensions of its being still further reduced, in order that he might take such measures as might be thought most advisable for the public interest.

It appears to your Committee, that between that day and the 26th of February, the drain on the Bank for cash increased in a still more rapid and alarming proportion; and that supposing such drain should continue to operate (and still more so if it should increase), your Committee are of opinion, that there was strong reason to apprehend that the Bank might, in the course of a few days, not only be prevented from affording the usual and necessary supply of cash for the public service, but ultimately be totally disabled from continuing its payments in cash in the ordinary course of its business; and that by a further reduction to any considerable amount, the danger to the public would have been greatly increased, and it might have become much more difficult to reinstate the affairs of the Bank, and restore the general circulation of the kingdom; that there was no reason to suppose that the drain would, on the ensuing Monday and following days be in the least diminished, but rather that it would have been considerably augmented; that no means were suggested by the Directors of the Bank for preventing the danger which was apprehended, nor did any such occur to them at the time, or have since been suggested to this Committee; and it therefore appears to your Committee that no measure could then have been taken which would have prevented such danger, other than the suspension of payments in cash required by the minute of Council: your Committee are therefore of opinion, that on the 26th of February there did exist a necessity for issuing the minute of Council of that date, though at the time not warranted by law.

Your Committee having thus reported to the House their opinion concerning such necessity, have next proceeded to enquire into the causes which might appear to them to have produced the same. These, being undefined in their nature and extent, and not easily admitting of any limitation, have led your Committee into investigations, the detail of which, subject to some restrictions hereafter explained, will be found in the subsequent part of this Report, and the Appendix thereunto annexed.

In order, however, to comply, as far as they are able, with the instructions which they have received, your Committee have, in the first place, directed their attention to such causes as appeared to them most capable of being ascertained, from their immediate and sensible effect upon the state of cash in the Bank.

They find it agreed, that whatever were the causes which operated to reduce the cash and bullion in the Bank to the state in which they stood at the beginning of February last, the operation of those causes, being from their nature as well as actual effect gradual and progressive, might perhaps have ceased or been counteracted.

But your Committee find, that, subsequent to the period last adverted to, a new cause of drain on the Bank suddenly came, into action with sufficient violence to produce the necessity in question, even under the operation of any measures which could from that time have been applied to prevent it.

The alarm of invasion which, when an immediate attack was first apprehended in Ireland, had occasioned some extraordinary demand for cash on the Bank of England in the months of December and January last; began in February to produce similar effects in the North of England. Your Committee find, that in consequence of this apprehension the farmers suddenly brought the produce of their lands to sale, and carried the notes of the country banks, which they had collected by these and other means, into those banks for payment; that this unusual and sudden demand for cash reduced the several banks at Newcastle to the necessity of suspending their payments in specie, and of availing themselves of all the means in their power of procuring a speedy supply of cash from the metropolis; that the effects of this demand on the Newcastle banks, and of their suspension of payments in cash, soon spread over various parts of the country, from whence similar applications were consequently made to the metropolis for cash; that the alarm, thus diffused, not only occasioned an increased demand for cash in the country, but probably a disposition in many to hoard what was thus obtained; that this call on the metropolis, through whatever channels, directly affected the Bank of England, as the great repository of cash, and was in the course of still further operation upon it, when stopped by the minute of Council of the 26th of February.

Your Committee further observe, that, as the Directors of the Bank had, previous to the actual existence of the alarm, lessened the amount of their discounts, so as to have reduced them, by the 25th of February, one fourth of the sum at which they stood at the beginning of the present year, and as the restriction of the accommodation afforded by them to individuals produced a similar decrease in the amount of discounts by private bankers, the joint effect of this diminished accommodation to the public, at a time when the circumstances above-mentioned, and others to be hereafter adverted to, seemed to require an increase of it, must necessarily have been an additional embarrassment in commercial and pecuniary transactions, tending to increase the demand for the cash on the Bank.

Your Committee are therefore of opinion, that the immediately efficient cause, operating upon the affairs of the Bank, at the period and in the manner above stated, which produced the necessity of the minute of Council of the 26th of February, was the alarm existing under all the circumstances before referred to.

In investigating the more remote causes which might have operated to reduce the cash and bullion in the Bank to the state in which they stood at the beginning of the period above referred to,

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and which might have contributed to increase the effect of the alarm which then took place, your Committee have collected a great variety of statements and opinions, and have submitted to the House, in this Report and Appendix, the whole evidence adduced before them, with the exception only of such statements, connected with the internal management of the Bank, or the private concerns of individuals, as could not, in the opinion of the Committee, with propriety and safety be made public.

Your Committee have thought proper to make the general dealings of this country with other countries an object of their enquiry, in order to ascertain their probable effect upon the augmentation or diminution of bullion and specie in the kingdom. They have for this purpose taken a view of the exports and imports of the country, and adverted to the general course of exchange with foreign countries; they have examined the Inspector General of imports and exports, from whom they have obtained a statement, from whence it may be collected, that the balance of trade in favour of this country has, during the war, very greatly increased, so as in each of the years 1793, 1794, 1795, and 1796, to have amounted upon an average to about £6,500,000, creating a balance on the whole of about twenty-six millions, notwithstanding the diminution of the general balance by the sums paid for the great importation of corn, occasioned by the extraordinary scarcity which lately prevailed, and encouraged by large bounties, to an extent much beyond the ordinary scale of commerce in that article.

From a review of the course of exchange, particularly with Hamburgh, which the events of the war have rendered a principal object of attention, it appears, that in the month of May 1795, the course of exchange with Hamburgh was reduced to such a rate as, in the opinion of persons most conversant with the subject, rendered the export of bullion from this country a profitable traffic.

That it so continued till March 1796, when it rose above the rate at which such export could be profitable, and towards the end of February last rose so high as to be favourable to the import of bullion, and has since, in a greater or less degree so continued.

Your Committee have next adverted to the situation of the country at the commencement of the war, in order more correctly to estimate the effects of the war on the general state of cash and bullion within the kingdom:

It appears that the embarrassments which arose early in the year 1793 are to be attributed to temporary causes, which are detailed in the report of the Select Committee appointed in that year, particularly the want of a circulating medium, produced by the discredit of a great quantity of country bank notes; and that from the circumstance of the distress being relieved by the loan of Exchequer bills, all of which were duly re-paid, there was not a deficiency of cash at that time in the kingdom.

It further appears, that although in the beginning of the year 1795 the cash and bullion in the bank were reduced very much be-

low their ordinary amount, yet the quantity of foreign gold, purchased by the Bank in the year 1793, very greatly exceeded the quantities purchased in the three preceding years; and the quantity of English coin purchased by the Bank in the same year was also considerable; so that, long before the close of the year, the quantity of their cash and bullion was raised to an amount much above what has been deemed necessary for their ordinary purposes, and above the amount at which it had been during any part of the year 1792.

It also appears, that although extraordinary quantities of bullion were exported in the years 1792 and 1793, yet the cash and bullion in the Bank increased early in the year 1794; and during the whole of that year exceeded the amount of their cash and bullion during any part of the year 1792.

Your Committee have next proceeded to enquire what causes, since the close of the year 1792, may have contributed to draw cash and bullion out of the country, or prevent the influx of them into it. The first that have occurred to the Committee are the expenses incident to the war, and other expenses abroad, which are set forth in the Appendix to this Report, as far as the same could be made out, from whence it appears, that the amount of those expenditures is about £32,810,977, of which sum about £15,700,000 appears to have been expended in Europe, and the remainder in other parts of the world.

For the purpose of discovering how far these several articles of expenditure and advance have collectively contributed to draw bullion from the country by actual exportation, your Committee have procured an account of bullion exported, exclusive of Ireland, in the years 1790, 1791, 1792, 1793, 1794, 1795, and 1796; which is set forth in the Appendix. This account is probably correct with respect to the quantity of bullion and of foreign coin exported; but as the current coin of the kingdom cannot lawfully be exported, probably clandestine exportation may have taken place; and persons going out of the kingdom may also have taken with them both foreign coin and current coin to a considerable amount, to answer their immediate expenses. One cause of exportation of the coin of the kingdom has possibly been the superior price for which gold, during some periods of the war, has been sold at Hamburgh and elsewhere, which made the exportation of the current gold coin melted into bars, or in its state of coinage, a profitable commerce.

Your Committee have obtained accurate information of the remittances made for loans and advances to the Emperor, the particulars of which are stated in the Appendix; and your Committee find that part of the loan of £4,600,000, negotiated in 1794 and 1795, was remitted in bullion, part of it in gold to the amount of about £150,000, consisting principally of Louis D'ors, and the remainder, about £1,043,000, in silver, chiefly Spanish dollars. It appears that the greatest part of this bullion was purchased of the Bank;

Bank; and that the whole was purchased through the intervention of the confidential broker of the Bank, and was sent to Germany at different times, between the 9th of September 1794 and the 11th of February 1796; that the rest of that loan was remitted in bills of exchange; and that the advances made by Government to the Emperor, and other foreign Princes, in 1796 and 1797, were entirely remitted by bills of exchange, no part having been remitted in cash or bullion.

It also appears that the subsidies to the King of Prussia were remitted, in 1794, partly in silver bullion from this country, partly by gold bullion procured in Amsterdam, partly by drafts on Amsterdam, and partly by drafts drawn on London from Hamburg, and by the Maritime Society at Berlin.

It further appears to your Committee, that the quantity of gold coined at the Mint during the years 1793, 1794, 1795, and 1796, amount to upwards of six millions sterling, of which about £.885,000 only was coined in the two last years.

In addition to these causes of actual expence, your Committee think proper to advert to various circumstances which may contribute either to the delay of the due return of commercial dealings, or require enlarged means of circulation in the country. Of this nature are, the habit of the British merchant to give longer credit to the foreign merchant than he receives in return; the change of the course of trade since the war, and the opening of new accounts with new customers; the circuitous remittance of money from various parts, in consequence of interruptions in the means of direct communication, and the state of some of the countries from which considerable remittances are due. To these are to be added, the increase of domestic commerce, the increase of manufactures for home consumption, the general spirit of internal improvement in agriculture, and in the formation of canals and other public works. To these may also be added, as producing a further necessity for a greater quantity of circulating medium, other causes of a different nature, and in other respects of an opposite tendency, and particularly the increased price of freight, shipping, insurance, demurrage, and a variety of other articles, generally affecting the trade of the country both in its former and in its increased state; the advanced price of labour, and of all the necessaries of life, and almost every kind of commodity. Added to all these circumstances, the operations and expences of the war may be supposed to require a greater quantity of circulating medium for internal as well as for external purposes. Some of these considerations appear to have produced the resolutions of a meeting of merchants in London of the 24th of March 1797, subjoined to this Report. But while these considerations seemed to require increased means of circulation, other circumstances have occurred to diminish the facility of it.

The increased amount and low price of the public funds, and the high discount on the negotiation of Government securities, have been particularly stated to your Committee as having considerable
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operation in this point of view, by inducing many persons, who before the war had been in the habit of employing their money in discounting bills of exchange as a profitable dealing, to withdraw their money from that course of business, and employ it in the purchase of floating Government securities, or other public funds. It also appears to your Committee that these circumstances have had the further effect of increasing the difficulty of raising money by loan upon private securities. The general effect of the low price of the public funds, and the great profit to be made by purchasing floating Government securities, seems to have been to invest in various Government securities large sums of money before employed as part of the active capital of the country, either immediately by the owner, or mediately through the operations of discount on loan. The arrears owing by Government to individuals for public services of various kinds have also been stated to your Committee as tending to diminish the means of circulation, particularly as they may raise distrust and create difficulties to commercial men dealing with Government by uncertainty of payment, which may also have been increased by a want of punctuality in some late instances, alledged in evidence before this Committee, in discharging bills of exchange drawn upon the Navy and Victualling Boards.

The advances made by the Bank to Government have also been stated, and particularly by the Governor and Directors of the Bank, as having materially contributed to their present embarrassment; and it has been suggested, that it was important considerably to diminish those advances for the purpose of reducing their notes in circulation to a nearer proportion to their cash, or at least to bring the amount of them more under their controul, while at the same time they might be enabled to afford a larger accommodation to the commerce of the country by way of discount.

It appears, on the other hand, to have been the opinion of persons engaged in commercial and pecuniary transactions, that the diminution of Bank notes since December 1795, so far from tending to secure the Bank from the danger of a drain of cash, by contracting their engagements within a narrow compass, has in effect contributed to the embarrassment which they have lately experienced, by reducing the requisite means of circulation, diminishing the general accommodation by way of discount, and thus occasioning a more pressing demand for specie, for which the Bank itself is the readiest as well as the ultimate source of supply.

There appears to your Committee good reason to apprehend that the country bank notes in circulation have been reduced one third from the time of the difficulties in 1793 to December 1796, and that they have since that period suffered a still further diminution; and from hence has been inferred the necessity of providing from the Bank an adequate supply of their notes to compensate for this chain in the circulation of the country.

Your Committee conceive it may be thought important to state, that

that the amount of the cash and bullion in the Bank, during a great part of the year 1782, and a very considerable part of the year 1783, was below the amount at which it stood in any part of the year 1796; and that, during the whole of 1783, the amount was lower, and during some parts of that year was considerably lower than it was on the 26th of February last; and that the Bank did not at those periods lessen the amount of their discounts or notes, and the circulation of the country suffered no interruption. It also appears that the debt of Government to the Bank for advances in the years 1780, 1781, 1782, 1783, and 1784, was generally very considerable, and bearing a near proportion to the debt due for advances on the 26th of February last, as appears by the accounts set forth in the Appendix, part of the sum included in the account of the present debt being the amount of unclaimed dividends paid by the Bank for the public service.

Your committee also have observed, that during a period of about nine months, between the month of June 1792 and the month of March 1793, there was a drain of cash and bullion from the Bank to an amount larger than that of the drain which took place from the month of December 1795 to the 26th of February 1797, being a period of about fourteen months, and considerably larger than the drain during the twelve months from the first of January 1796 to the first of January 1797; and that in April 1793, the Bank raised their discounts to more than double the amount at which their discounts stood in December 1796; and that the cash and bullion gradually rose from the month of April 1793; and in the month of September 1793, the amount was nearly equal to the amount in June 1792, and in December 1793 exceeded the amount during any part of the year 1792, and in the year 1794 rose still higher.

Your Committee having stated these facts, and these opinions, submit the conclusion to be drawn from them, and the consideration of the whole, to the wisdom of the House.

PROCLAMATION

RELATIVE TO THE MUTINY AND REBELLION ON BOARD A PART
OF HIS MAJESTY'S FLEETS.

GEORGE R.

(L. 9.) Whereas it has been represented unto us, that notwithstanding the declarations made in our name, and by our authority, by our Lords Commissioners of our Admiralty, of our gracious intentions to recommend to the consideration of Parliament to augment the wages and allowances of the seamen and marines of our fleet, which our gracious intentions and declarations have since been carried into effect by an act of Parliament; and notwithstanding the communication made by our right trusty and right well-beloved Cousin and Counsellor Richard Earl Howe, Admiral of our Fleet, of our gracious intentions towards the seamen and marines of our fleet,

fleet, for the pardon of the offences by them committed, and our Royal Proclamation thereupon, bearing date the 11th day of May instant; and notwithstanding the sentiments of duty and gratitude with which the same were received by the seamen and marines of our other squadrons, yet the crews on board certain of our ships at the Nore have not only since the first manifestation of all these our gracious intentions and declarations, been guilty of divers acts of mutiny and disobedience of orders, but have even proceeded to other acts of the most heinous and treasonable nature, by firing upon some of our ships, in order to compel them to submit to their direction; have threatened and taken measures for stopping the commerce of the kingdom, passing to and from the port of London, and have, by terror of their force, compelled two frigates to desist from executing a particular service, which, by our orders, they were directed to perform: We thinking it right to warn all our seamen and marines on board the said ships of the heinous nature of the offences by them committed, and of the dangerous consequences thereof to the spirit and discipline of the British navy, and to the welfare of their country, as well as to their own safety, do hereby earnestly require and enjoin all our seamen and marines immediately, on notification of this our Royal declaration, to return to the regular discharge of their duty, as has already been done by the crews of our other squadrons and fleets stationed at Portsmouth and Plymouth, and elsewhere.

And whereas we are well assured that a great part of the seamen and marines on board the said ships at the Nore abhor and detest the criminal proceedings which are still persisted in on board the said ships, and are desirous to return to their duty,

Now we, being desirous to extend our gracious intentions of pardon to all such seamen and marines, so serving on board our said ships at the Nore, who may have returned, or shall return, upon the notification of this our Royal declaration, to the regular and ordinary discharge of their duty, have authorized, and do hereby authorize and empower our said Lords Commissioners of our Admiralty, or any three of them, to signify to all such seamen and marines who may have been guilty of any of the treasonable acts aforesaid, or any mutiny, or disobedience of orders, or neglect of duty, and who have returned, or who shall, upon notification thereof on board their respective ships, return to the regular and ordinary discharge of their duty, our Royal intentions to grant to all such seamen and marines our most gracious pardon, and to promise in our name to all such seamen and marines who have so returned, or shall so return to the regular and ordinary discharge of their duty, our most gracious pardon accordingly. And we do hereby declare, that all such seamen and marines who shall have so returned, or shall so return to their duty, and to whom the said Lords Commissioners of our Admiralty, or any three of them, shall so promise our pardon, shall receive the same accordingly, and shall be discharged and released from all prosecutions, imprisonments,

sonments, and penalties incurred by reason of any of the acts aforesaid, or by reason of any act of mutiny or disobedience of orders, or any breach or neglect of duty, previously committed by them, or any of them; hereby declaring, at the same time, that all such seamen and marines, who shall not take the benefit of this our gracious pardon, shall, from henceforth, be considered as liable, according to the nature of their offences, to such punishment as the Articles of War and the Law have provided for the same. Given at our Court at Saint James's the twenty-seventh day of May, 1797, in the thirty-seventh year of our reign.

By His Majesty's Command,

PORTLAND.

THIRD BUDGET.

RESOLUTIONS OF COMMITTEE OF SUPPLY, VOTED JUNE 30; REPORTED AND AGREED TO BY THE HOUSE JULY 3, 1797.

Resolved,

THAT, towards raising the supply granted to his Majesty, every person who shall keep any horse, mare, or gelding, or any mule charged with a duty of two shillings, by an Act of the thirty-sixth year of his present Majesty's reign, shall yield, and pay annually, an additional duty of three shillings for each such horse, mare, gelding, or mule, which said last-mentioned duty shall be subject and liable to an additional duty, after the rate of twenty pounds *per centum*, on the produce and amount thereof.

That, towards raising the supply granted to his Majesty, an additional duty of five pounds *per centum* be charged upon the produce and amount of the several duties and customs now due, and payable, to his Majesty, on goods, wares, and merchandize imported into, exported from, or brought, or carried coastwise, within this kingdom, except the duties of ten pounds *per centum*, and five pounds *per centum*, imposed by an act of the present session of Parliament, and also except the duties on tea, sugar, wine, tobacco, and callicoes.

That, towards raising the supply granted to his Majesty, an additional duty of customs of three-pence be charged upon every pound weight of pepper which shall be delivered out of any warehouse to be used and consumed in this kingdom, which said duty shall be subject and liable to the additional duty of five pounds *per centum* imposed by an act of this present session of Parliament, and also to a further duty of five pounds *per centum* on the produce and amount thereof.

That, towards raising the supply granted to his Majesty, an additional duty of five shillings be charged upon every chaldre of coals, Newcastle measure, exported from this kingdom to any place except to Ireland, the Isle of Man, any British colony or plantation in America, or to the United States of America, which said duty shall be subject and liable to the additional duty of five pounds *per centum* imposed by an act of this present session of Parliament, and also to a further duty of five pounds *per centum* on the produce and amount thereof.

That, towards raising the supply granted to his Majesty, an additional duty of one shilling and eight pence be charged upon every ton of coals containing twenty hundred weight, exported from this kingdom to any place, except to Ireland, the Isle of Man, any British colony or plantation

in America, or to the United States of America, which said duty shall be subject and liable to the additional duty of five pounds *per centum*, imposed by an act of this present Session of Parliament, and also to a further duty of five pounds *per centum* on the produce and amount thereof.

That, towards raising the supply granted to his Majesty, there be charged an annual duty of five shillings for and upon every clock or time-keeper, for the like use or purpose, by whatever name the same shall be called, erected, placed or being, in or upon any dwelling house, or any office or building thereunto belonging, or occupied therewith, or any other building whatever, whether private or public, belonging to any person or persons, or company of persons, or body corporate or politic, or any parish or place, or which shall be kept, had, or used, by any person or persons in Great Britain.

That, towards raising the supply granted to his Majesty, there shall be charged an annual duty of ten shillings for and upon every gold or enamelled watch or time-keeper, for the like use or purpose, by whatsoever name the same shall be called, which shall be kept, had, or worn, by any person or persons in Great Britain.

That, towards raising the supply granted to his Majesty, there shall be charged an annual duty of two shillings and sixpence for and upon every silver or metal watch or time-keeper, for the like use or purpose, or other watch or time-keeper, for the like use or purpose, of whatever materials the same shall be made, and by whatsoever name the same shall be called, which shall be kept, had, or worn, by any person or persons in Great Britain, except gold or enamelled watches or time-keepers, and except watches kept for sale or otherwise in the course of trade in the shop of any licensed maker of or dealer in watches.

That, towards raising the supply granted to his Majesty, there shall be charged an annual duty, not exceeding the sum of five shillings, on every licence granted to any maker of, or dealer in, clocks, watches, or time-keepers, in Great Britain.

That, towards raising the supply granted to his Majesty, an additional stamp duty of ten shillings be charged for and upon every deed which shall be made in Great Britain.

That, towards raising the supply granted to his Majesty, for and upon every dwelling house which now is, or hereafter shall be, inhabited, within the kingdom of Great Britain, having less than seven windows or lights, or which is, or shall be, subject to the duty upon inhabited houses granted by an act of the nineteenth year of his present Majesty's reign, there shall be paid the additional yearly sum of one shilling.

That, towards raising the supply granted to his Majesty, for every dwelling house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain seven windows or lights, and no more, there shall be paid the additional yearly sum of two shillings.

That, towards raising the supply granted to his Majesty, for every dwelling house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain eight windows or lights, and no more, there shall be paid the additional yearly sum of two shillings and sixpence.

That, towards raising the supply granted to his Majesty, for every dwelling house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain nine windows or lights, and no more, there shall be paid the additional yearly sum of three shillings.

That, towards raising the supply granted to his Majesty, for every dwelling house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain ten windows or lights, and no more, there shall be paid the additional yearly sum of four shillings.

That

That, towards raising the supply granted to his Majesty, for every dwelling house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain eleven windows or lights, and no more, there shall be paid the additional yearly sum of four shillings and sixpence.

That, towards raising the supply granted to his Majesty, for every dwelling house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain twelve windows or lights, and no more, there shall be paid the additional yearly sum of five shillings and sixpence.

That, towards raising the supply granted to his Majesty, for every dwelling house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain thirteen windows or lights, and no more, there shall be paid the additional yearly sum of six shillings and sixpence.

That, towards raising the supply granted to his Majesty, for every dwelling house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain fourteen windows or lights, and no more, there shall be paid the additional yearly sum of seven shillings and sixpence.

That, towards raising the supply granted to his Majesty, for every dwelling house inhabited or to be inhabited, within the kingdom of Great Britain, which shall contain fifteen windows or lights, and no more, there shall be paid the additional yearly sum of nine shillings.

That, towards raising the supply granted to his Majesty, for every dwelling house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain sixteen windows or lights, and no more, there shall be paid the additional yearly sum of ten shillings.

That, towards raising the supply granted to his Majesty, for every dwelling house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain seventeen windows or lights, and no more, there shall be paid the additional yearly sum of eleven shillings and sixpence.

That, towards raising the supply granted to his Majesty, for every dwelling house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain eighteen windows or lights, and no more, there shall be paid the additional yearly sum of twelve shillings and sixpence.

That, towards raising the supply granted to his Majesty, for every dwelling house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain nineteen windows or lights, and no more, there shall be paid the additional yearly sum of thirteen shillings and sixpence.

That, towards raising the supply granted to his Majesty, for every dwelling house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain twenty windows or lights, and no more, there shall be paid the additional yearly sum of fifteen shillings.

That, towards raising the supply granted to his Majesty, for every dwelling house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain twenty-one windows or lights, and no more, there shall be paid the additional yearly sum of sixteen shillings.

That, towards raising the supply granted to his Majesty, for every dwelling house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain twenty-two windows or lights, and no more, there shall be paid the additional yearly sum of seventeen shillings.

That, towards raising the supply granted to his Majesty, for every dwelling house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain twenty-three windows or lights, and

no more, there shall be paid the additional yearly sum of eighteen shillings and sixpence.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain twenty-four windows or lights, and no more, there shall be paid the additional yearly sum of one pound and one shilling.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain twenty-five windows or lights, and shall not contain more than twenty-nine windows or lights, there shall be paid the additional yearly sum of one pound and three shillings.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain thirty windows or lights, and which shall not contain more than thirty-four windows or lights, there shall be paid the additional yearly sum of one pound, six shillings, and sixpence.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain thirty-five windows or lights, and shall not contain more than thirty-nine windows or lights, there shall be paid the additional yearly sum of one pound, ten shillings, and sixpence.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain forty windows or lights, and shall not contain more than forty-four windows or lights, there shall be paid the additional yearly sum of one pound and fifteen shillings.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain forty-five windows or lights, and shall not contain more than forty-nine windows or lights, there shall be paid the additional yearly sum of two pounds.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain fifty windows or lights, and shall not contain more than fifty-four windows or lights, there shall be paid the additional yearly sum of two pounds and five shillings.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain fifty-five windows or lights, and shall not contain more than fifty-nine windows or lights, there shall be paid the additional yearly sum of two pounds and ten shillings.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain sixty windows or lights, and shall not contain more than sixty-four windows or lights, there shall be paid the additional yearly sum of two pounds and fifteen shillings.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain sixty-five windows or lights, and shall not contain more than sixty-nine windows or lights, there shall be paid the additional yearly sum of three pounds.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain seventy windows or lights, and shall not

not contain more than seventy-four windows or lights, there shall be paid the additional yearly sum of three pounds and five shillings.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain seventy-five windows or lights, and shall not contain more than seventy-nine windows or lights, there shall be paid the additional yearly sum of three pounds and ten shillings.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain eighty windows or lights, and shall not contain more than eighty-four windows or lights, there shall be paid the additional yearly sum of three pounds and fifteen shillings.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain eighty-five windows or lights, and shall not contain more than eighty-nine windows or lights, there shall be paid the additional yearly sum of four pounds.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain ninety windows or lights, and shall not contain more than ninety-four windows or lights, there shall be paid the additional yearly sum of four pounds and five shillings.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain ninety-five windows or lights, and shall not contain more than ninety-nine windows or lights, there shall be paid the additional yearly sum of four pounds and ten shillings.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain one hundred windows or lights, and shall not contain more than one hundred and nine windows or lights, there shall be paid the additional yearly sum of five pounds.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain one hundred and ten windows or lights, and shall not contain more than one hundred and nineteen windows or lights, there shall be paid the additional yearly sum of five pounds and ten shillings.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain one hundred and twenty windows or lights, and shall not contain more than one hundred and twenty-nine windows or lights, there shall be paid the additional yearly sum of six pounds.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain one hundred and thirty windows or lights, and shall not contain more than one hundred and thirty-nine windows or lights, there shall be paid the additional yearly sum of six pounds and ten shillings.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain one hundred and forty windows or lights, and shall not contain more than one hundred and forty-nine windows or lights, there shall be paid the additional yearly sum of seven pounds.

That,

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain one hundred and fifty windows or lights, and shall not contain more than one hundred and fifty-nine windows or lights, there shall be paid the additional yearly sum of seven pounds and ten shillings.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain one hundred and sixty windows or lights, and shall not contain more than one hundred and sixty-nine windows or lights, there shall be paid the additional yearly sum of eight pounds and five shillings.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain one hundred and seventy windows or lights, and shall not contain more than one hundred and seventy-nine windows or lights, there shall be paid the additional yearly sum of nine pounds.

That, towards raising the supply granted to his Majesty, for every dwelling-house inhabited, or to be inhabited, within the kingdom of Great Britain, which shall contain one hundred and eighty windows or lights, and upwards, there shall be paid the additional yearly sum of ten pounds.

That, towards raising the supply granted to his Majesty, the said duties on houses, windows, or lights, shall be subject and liable to an additional duty of twenty pounds per centum on the produce and amount thereof.

Ordered, That a bill or bills be brought in upon the said resolutions.

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TO

WOODFALL'S

PARLIAMENTARY REPORTS.

THE FIRST SESSION OF THE EIGHTEENTH PARLIAMENT,
COMMENCED SEPTEMBER 27, 1796, AND ENDED JULY
20, 1797.

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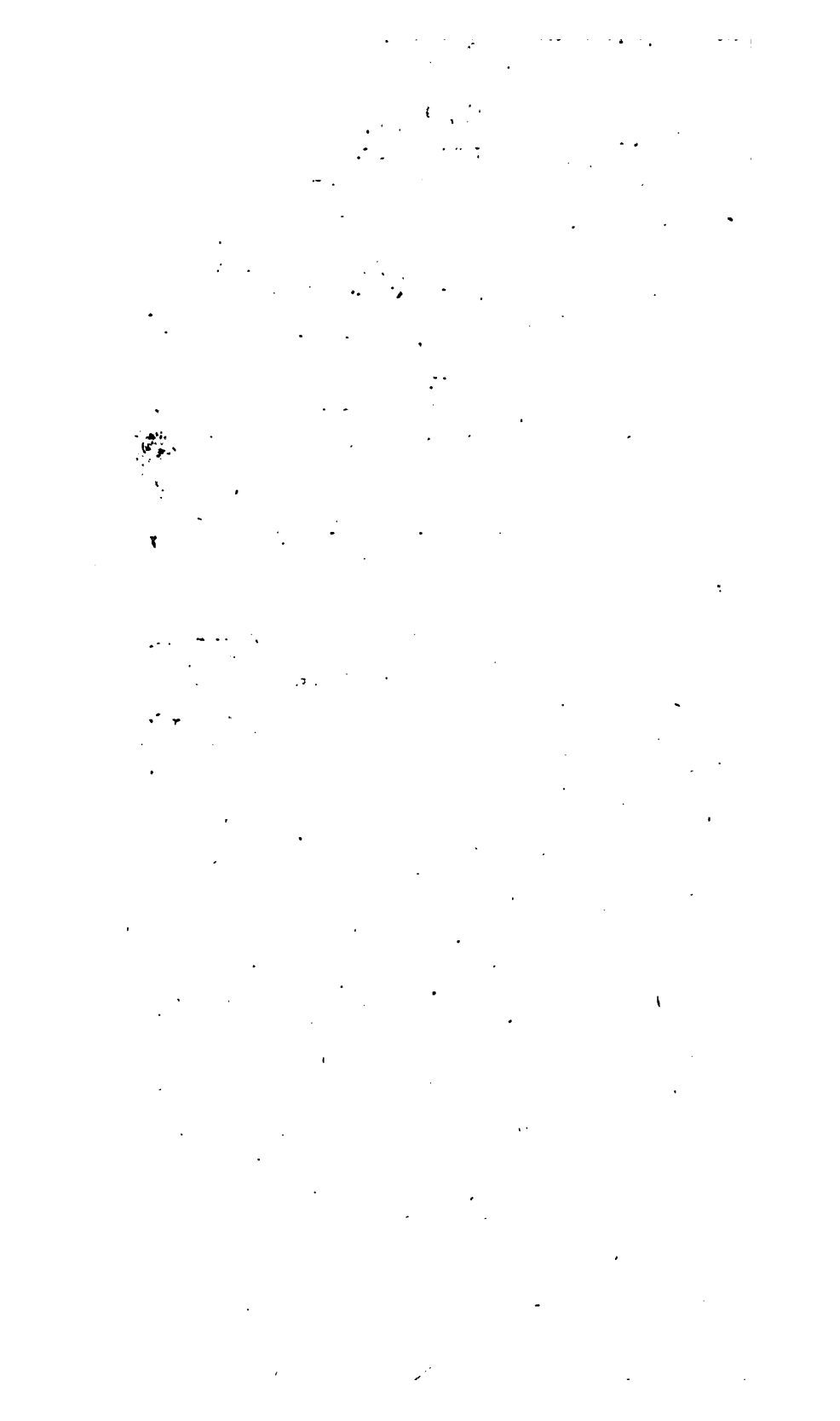
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